



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2015

CORAM:

THE HONOURABLE Mr. JUSTICE M.M. SUNDRESH

W.P. (MD) No. 6821 of 2015

WEB COPY

Murugesan

... Petitioner

Vs.

1. The Sub-Inspector of Police,
Thuvarankurichi Police Station,
Thuvarankurichi,
Trichy District.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed in Na.Ka.No.172/NHS/F3A/TNK/PS dated 21.4.2015, quash the same and consequently direct the respondents to grant permission and protection for Adal Padal programme during "7th Annual Festival" of Sri Kattumariyammal Koil Temple, Thuvarankurichi scheduled to be held on 4.5.2015 at Kattumariyammal Koil Temple, Harijan Colony Street, Ponnampatti, Thuvarankurichi.

For Petitioner
For Respondent

: Mr.A.Rahul
: Mr.R.Karthikeyan, AGP

ORDER

This Writ Petition has been filed seeking for the issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed in Na.Ka.No.172/NHS/F3A/TNK/PS dated 21.4.2015, quash the same and consequently direct the respondent to grant permission and protection for Adal Padal programme during "7th Annual Festival" of Sri Kattumariyammal Koil Temple, Thuvarankurichi scheduled to be held on 4.5.2015 at Kattumariyammal Koil Temple, Harijan Colony Street, Ponnampatti, Thuvarankurichi.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondent.

3. Learned counsel for the petitioner would submit that the petitioner is the member of the vizha committee of "Sri Kattumariyammal Koil Temple, Harijan Colony Street, Ponnampatti, Thuvarankurichi and every year temple festival is being



conducted by the villagers and this year also, the villagers jointly decided to conduct the village temple festival, with "Aadalum Padalum dance programme" on 4.5.2015. In this connection, a representation was given on 18.4.2015 to the respondent police, with a request to grant permission to conduct the above said programme on the said date, however, no order was passed by the respondent on the said representation and hence the petitioner is before this Court with this Writ Petition. The learned counsel for the petitioner further submitted that as the temple festival is celebrated in a peaceful manner by the villagers, there will be no untoward incident by the people of the village.

4. Mr.R.Karthikeyan, learned Additional Government Pleader appearing for the respondent, on instructions, would submit that the permission sought for by the petitioner may be granted with stringent conditions for maintaining law and order and also to avoid any untoward incident during performance of such programme.

5. Having considered the facts and circumstances and the submissions made by the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents, this Court is of the view that necessary permission shall be granted to the petitioner and his Villagers to conduct "Adalum Padalum dance programme" in connection with the above said temple festival.

6. Accordingly, the Writ Petition is disposed of with the following directions:

(a) The Aadalum paadalum dance programme in connection with temple Festival at "Sri Kattumariyammal Koil Temple, Harijan Colony Street, Ponnampatti, Thuvankurichi District" to be held on 4.5.2015 between **06.00 p.m. and 10.30 p.m.**

(b) There should not be any kind of obscene dance or vulgar dialogues during the performance, by anyone of the participants.

(c) Double meaning songs should not be played so as to spoil the minds of students and youths.

(d) No dance or songs, touching upon any political party or religion or community or caste be played.

(e) No flex boards in support of any political party or communal leader be erected.

(f) The function should not affect either religious or communal harmony and shall be conducted without any discrimination based on caste.

There is any violation of any one of the conditions imposed, the concerned police officer is at liberty to take necessary action, as per law and stop such performance; and



(h) Similarly, the police is entitled to stop the dance programme, if it exceeds beyond the permitted time.

(i) The second respondent is directed to issue necessary permission, incorporating the above conditions. No costs.

Sd/-

Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To

The Sub-Inspector of Police,
Thuvarankurichi Police Station,
Thuvarankurichi,
Trichy District.

+1cc to Spl.Government Pleader Sr.No.22864

+1CC TO MR.A.RAHUL, ADVOCATE SR.22380

nbj

AA/30.04.2015/3p- 4c/

W.P (MD) No.6821 of 2015
27.04.2015