



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2015

CORAM:

THE HONOURABLE Mr.JUSTICE M.M.SUNDRESH

W.P. (MD)No.6855 of 2015

P.Veerapathran

... Petitioner

Vs.

1.The Superintendent of Police,
Madurai District.

2.The Inspector of Police,
Periyoor Police Station,
Madurai District.

3.The Sub Inspector of Police,
Sapputur Poilce Station,
Madurai District.

... Respondents

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 by the third respondent and quash the same as illegal and consequently, direct the respondents to allow the petitioner to conduct Adal Padal programme in Sri Alagarkovil temple festival in Palayur Village, Sedapatti Union, Periyoor Taluk, Madurai District on 03.05.2015.

For Petitioner : Mr.R.Venkatesan

For Respondents : Mr.R.Karthikeyan, AGP

ORDER

This Writ Petition has been filed seeking for the issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the third respondent and quash the same as illegal and consequently, direct the respondents to allow the petitioner to conduct Adal Padal programme in Sri Alagarkovil temple festival in Palayur Village, Sedapatti Union, Periyoor Taluk, Madurai District on 03.05.2015.

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

3.Learned counsel for the petitioner would submit that every year Adal Padal programme is being conducted by the villagers and this year also, the villagers jointly decided to conduct the Adal Padal programme on 03.05.2015 in the above said temple festival. In this connection, a representation was given on 16.04.2015 to the first respondent police, with a request to grant permission to conduct the Adal Padal programme on the above said date, however, the 1st respondent Police by the impugned order has rejected the request of the petitioner and hence, the petitioner



is before this Court with this Writ Petition. The learned counsel for the petitioner further submitted that as the Adal Padal programme 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 respondents, 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 "Adal Padal programme" in connection with the above said temple festival.

6. Accordingly, the impugned order is set aside and the Writ Petition is disposed of with the following directions:

(a) The adal padal programme in connection with temple Festival at Sri Alagarkovil temple festival in Palayur Village, Sedapatti Union, Periyoor Taluk, Madurai District be held on 03.05.2015 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.

(g) If 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

/True copy/

sub Assistant Registrar(C.S)



To

1.The Superintendent of Police,
Madurai District.

2.The Inspector of Police,
Periyoor Police Station,
Madurai District.

3.The Sub Inspector of Police,
Sapputur Poilce Station,
Madurai District.

+1cc to M/S.R.Venkatesan, Advocate in SR.No. 22434.

+1cc to Special Government Pleader in SR.No 22875.

TS/29.04.2015/3P-6C

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