



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2015

CORAM:

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THE HONOURABLE Mr.JUSTICE M.M.SUNDRESH

W.P. (MD) No.6854 of 2015

R.Kannan ... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Trichirappalli District.

2.The Deputy Superintendent of Police,
Langudi Taluk,
Trichirappalli District.

3.The Inspector of Police,
Kallakudi Police Station,
Kallakudi Post, Lalgudi Taluk,
Trichirappalli District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to grant permission and police protection to the temple festival called "Chithirai month Festival" to be held from 29.04.2015 to 08.05.2015 at Arulmughu Shri Chelliyamman Temple, Venkatachalapuram Village and Post, Pullampadi Union, Lalgudi Taluk, Trichirappalli District by considering the petitioner's representation dated 22.04.2015.

For Petitioner : Mr.R.Sureshkumar

For Respondents : Mr.R.Karthikeyan, AGP

O R D E R

This Writ Petition has been filed seeking for the issuance of Writ of Mandamus, directing the respondents to grant permission and police protection to Chithirai month festival programme to be held from 29.04.2015 to 08.05.2015 at Arulmughu Shri Chelliyamman Temple, Venkatachalapuram Village and Post, Pullampadi Union, Lalgudi Taluk, Trichirappalli District by considering the petitioner's representation dated 22.04.2015.



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

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3. Learned counsel for the petitioner would submit that every year Chithirai festival function is being conducted by the villagers and this year also, the villagers jointly decided to conduct the Chithirai festival in the above said temple. In this connection, a representation was given on 22.04.2015 to the respondent police, with a request to grant permission to conduct the programme on the above said dates, however, no order has been passed by the respondent and hence, the petitioner is before this Court with this Writ Petition. The learned counsel for the petitioner further submitted that as the Chithirai festival function 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 Chithirai festival function in connection with the above said temple festival.

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

(a) The programme in connection with Chithirai festival at Arulmughu Shri Chelliyamman Temple, Venkatachalapuram Village and Post, Pullampadi Union, Lalgudi Taluk, Trichirappalli District be held from **29.04.2015 to 08.05.2015 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 third respondent is directed to issue necessary permission, incorporating the above conditions and give necessary protection for conducting the Chithirai festival function.

No costs.

Sd/-

Assistant Registrar(A.S.,)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Trichirappalli District.
- 2.The Deputy Superintendent of Police,
Langudi Taluk, Trichirappalli District.
- 3.The Inspector of Police, Kallakudi Police Station,
Kallakudi Post, Lalgudi Taluk, Trichirappalli District.

+1cc to Mr.R.Suresh Kumar, Advocate, in SR. No.22374.

W.P (MD) No.6854 of 2015
27.04.2015

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msm 27.04.2015 p3/5c(IT)