



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.6859 of 2015

K.Pazhanu

... Petitioner

Vs.

1.The Superintendent of Police,
Theni District.

2.The Inspector of Police,
Thenkarai Police Station,
Periyakulam Taluk, Theni 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 first respondent to direct the 2nd respondent to grant permission to the petitioner to conduct dance programme in Arul Mighu Alagarsamy Thirukovil Chithirai festival on 03.05.2015 at about above 6.00 pm.

For Petitioner : Mr.R.Shankar Ganesh

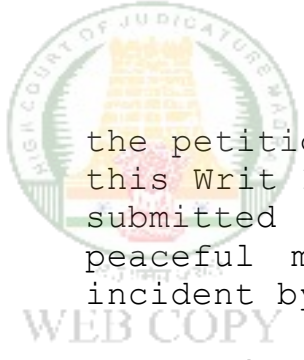
For Respondents : Mr.R.Karthikeyan, AGP

O R D E R

This Writ Petition has been filed seeking for the issuance of Writ of Mandamus, directing the first respondent to give direct the 2nd respondent to grant permission to the petitioner to conduct dance programme in Arul Mighu Alagarsamy Thirukovil Chithirai festival 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 Chithirai is being conducted by the villagers in the above said temple and this year also, the villagers jointly decided to conduct the Chithirai festival, with dance programme on 03.05.2015. In this connection, a representation was given on 23.04.2015 to the respondents police, with a request to grant permission to conduct the dance programme on the above said date, however, the respondent Police has not considered 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 Chithirai 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 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 dance programme in connection with the above said temple festival.

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

(a) The dance programme in connection with temple Festival at Arul Mighu Alagarsamy Thirukovil 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.

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Sd/-

Assistant Registrar(Per.Admn,)

/True Copy/

Sub-Assistant Registrar

To

1.The Superintendent of Police,
Theni District.

2.The Inspector of Police,
Thenkarai Police Station,
Periyakulam Taluk, Theni District.

+1cc to Special Government Pleader, in SR No.22873.

+1cc to Mr.R.Shankar Ganesh, Advocate, in SR. No.23127.

W.P. (MD) No.6859 of 2015
27.04.2015

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