



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 28.04.2015
CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P. (MD) No.6894 of 2015

WEB COPY

S.M.T.Mariyappan

... Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.The Inspector of Police,
Surrandai Taluk Police Station,
Tirunelveli District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 2nd respondent to accord permission and provide adequate police protection for "STAGE DRAMA" which is scheduled to be taken place on 10.5.2015 in connection with the festival of "SRI LOGAMATHA TEMPLE" at Kelasurandai, Tirunelveli District.

For Petitioner ... Mr.M.Pitchai Muthu

For Respondents ... Mr.R.Karthikeyan
Addl. Government Pleader

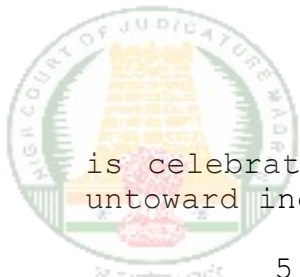
ORDER

The writ petition has been filed praying this Court for issuance of a Writ of Mandamus directing the 2nd respondent to accord permission and provide adequate police protection for "STAGE DRAMA" which is scheduled to be taken place on 10.5.2015 in connection with the festival of "SRI LOGAMATHA TEMPLE" at Kelasurandai, Tirunelveli District.

2.By consent, the writ petition itself is taken up for final disposal.

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

4.In the affidavit, it has been stated that the Petitioner is a resident of Kelasurandai, Tirunelveli District and he is the member of Temple Festival Committee and every year the villagers used to celebrate Thiruvizha in the Tamil month of Vaikasi. In this year also, the villagers have decided to celebrate the said festival on 10.5.2015. Along with other poojas, the villagers have decided to play cultural programmes on 10.5.2015. In this connection, a representation was given on 22.04.2015 to the respondents police, with a request to grant permission to conduct "Adal Padal Programme" on 10.5.2015, however no response was received by the respondents 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.

5. 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.

6. 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 temple festival of 'Vaikasi Thiruvizha' of "SRI LOGAMATHA TEMPLE" at Kelasurrandai, Tirunelveli District.

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

(a) The cultural programme in connection with temple Festival on the eve of 'Vaikasi Thiruvizha' of "SRI LOGAMATHA TEMPLE" at Kelasurrandai, Tirunelveli District to be held on 10.5.2015 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.

(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(AS)

/TRUE COPY/

Sub Assistant Registrar

To

1.The Superintendent of Police,Tirunelveli District,Tirunelveli.

2.The Inspector of Police,

Surrandai Taluk Police Station,Tirunelveli District.

+1cc to Mr.M.Pitchai Muthu,Advocate, SR.No.23281