



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P (MD) No.7174 of 2015

P.Pitchai

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Deputy Superintendent Office,
Rajapalayam,
Virudhunagar District.

3.The Sub-Inspector of Police,
Keelarajakularaman Police Station,
Keelarajakularaman,
Virudhunagar District.

... Respondents

Prayer: Criminal Original Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the respondents to grant permission and necessary protection to perform the cultural programme(i.e.,) Adal Padal on 4.5.2015 at 8.00 p.m. In the eve of Arulmighu Kaliyamman Arulmighu Mariamman Kovil, "Pongal Thiruvizha" at Vadakarai, Rajapalayam Taluk, Virudhunagar District.

For Petitioner : M/s.G.Marimuthu

For Respondents : Mr.R.Karthikeyan
Addl.Govt.Pleader

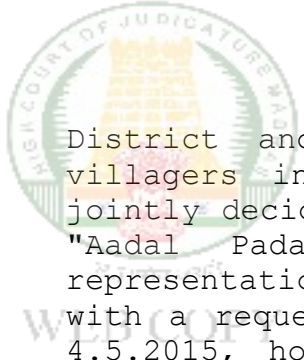
O R D E R

This Writ Petition has been filed seeking for the issuance of Writ of Mandamus, directing the respondents to grant permission and necessary protection to perform the cultural programme(i.e.,) Adal Padal on 04.5.2015 at 8.00 p.m. In the eve of Arulmighu Kaliyamman Arulmighu Mariamman Kovil, "Pongal Thiruvizha" at Vadakarai, Rajapalayam Taluk, Virudhunagar District.

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

<https://hcservices.ecourts.gov.in/hcservices/>

3. Learned counsel for the petitioner would submit that the petitioner is a member of the above said village and a devotee of Arulmighu Kaliyamman Kovil, "Pongal Thiruvizha" at Vadakarai, Rajapalayam Taluk, Virudhunagar



District and every year temple festival is being conducted by the villagers in the month of Chitrai and this year also, the villagers jointly decided to conduct the village temple festival on 03.05.2015, with "Adal Padal programme" on 04.05.2015. In this connection, a representation was given on 24.04.2015 to the third respondent police, with a request to grant permission to conduct "Adal Padal Programme" on 4.5.2015, however, no order was passed 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.

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 problem 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 Government Advocate 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 Arulmighu Kaliyamman Kovil, "Pongal Thiruvizha" at Vadakarai, Rajapalayam Taluk, Virudhunagar District.

6. Accordingly, the writ petition is disposed of with the following directions:

(a) The cultural programme in connection with temple Festival at "Sri Meenakshiyamman Thirukoil" situated in Thumbalam Village, Musiri, Trichy District to be held on 04.5.2015 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 limit.

(i) The third respondent is directed to issue necessary permission, incorporating the above conditions.

No costs.

Sd/
Assistant Registrar



To

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

2.The Deputy Superintendent of Police,
Deputy Superintendent Office,
Rajapalayam,
Virudhunagar District.

3.The Sub-Inspector of Police,
Keelarajakularaman Police Station,
Keelarajakularaman,
Virudhunagar District.

+1cc to M/S. G.MARIMUTHU, Advocate in SR.No. 23406

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TS/30.04.2015/2P-5C

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29.04.2015