



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

WEB COPY

W.P (MD) No. 7216 of 2015

and

M.P. (MD) .No.1 of 2015

Veeramayee

... Petitioner

Vs.

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

2. The Inspector of Police,
Andipatti Police Station,
Andipatti,
Theni District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings in Na.ka.No.88/EIPS/2015 dated 27.04.2015 of the second respondent and to quash the same, consequently directing the second respondent to grant permission and necessary protection to perform the cultural programme (i.e.,) Adal Padal on 02.05.2015 at 6.30 p.m. in the eve of Arulmighu Muthalamman Thirukovil, P.Pudur, Pulimankombai, Andipatti Taluk, Theni.

For Petitioner : Mr.C.Bethanasamy

For Respondents : Mr.R.Karthikeyan

Additional Govt. Pleader

O R D E R

This Writ Petition has been filed seeking to call for the records relating to the impugned proceedings in Na.ka.No.88/EIPS/2015 dated 27.04.2015 of the second respondent and to quash the same, consequently directing the second respondent to grant permission and necessary protection to perform the cultural programme (i.e.,) Adal Padal on 02.05.2015 at 6.30 p.m. in the eve of Arulmighu Muthalamman Thirukovil, P.Pudur, Pulimankombai, Andipatti Taluk, Theni.

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

3. The learned counsel for the petitioner would submit that the petitioner is the member of the Vizha committee of temple at Arulmighu Muthalamman Thirukovil P.Pudur, Pulimankombai, Andipatti Taluk, Theni and every year temple festival is being conducted by the villagers and this year also, the villagers jointly decided to conduct the village temple festival from 01.05.2015 to 03.05.2015 with "Aadal Padal programme" on 02.05.2015. In this connection, a representation was given on 27.04.2015 to the second respondent police, with a request to grant permission to



conduct "Adal Padal Programme". The second respondent has passed impugned order rejecting the petitioner's request 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. The only objection raised is that permission if granted likely would lead to law and order problem. From the order passed by the second respondent there was no indication that law and order problem would be arisen. It is for the respondent to impose any condition to maintain law and order problem. It is not as if there was any prior untoward occurrence in the conduct of the programme.

5. Accordingly, the impugned order is set aside and the writ petition is allowed and the petitioner is permitted to conduct 'Adal Padal programme' in connection with the temple festival of Arulmighu Muthalamman Thirukovil, P.Pudur, Pulimankombai, Andipatti Taluk, Theni, with the following conditions:-

(a) The cultural programme in connection with temple Festival at Arulmighu Muthalamman Thirukovil, P.Pudur, Pulimankombai, Andipatti Taluk, Theni, be held on 02.05.2015 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. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(T & P)

\\True copy\\

Sub Assistant Registrar

To

1. The Superintendent of Police, Theni District, Theni.
2. The Inspector of Police, Andipatti Police Station, Andipatti, Theni District.

+1cc to MR.C.BETHANASAMY, ADVOCATE SR.NO.23415

W.P(MD)No.7216 of 2015 AND
MP(MD) .1/2015