



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2015

CORAM:

WEB COPY

THE HONOURABLE Mr. JUSTICE M.M.SUNDRESH

Writ Petition(MD)No.7225 of 2015

K.Pandiar ... Petitioner

Vs.

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

2. The Inspector of Police,
Kombai Police Station,
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 respondents to grant permission and necessary protection to perform the cultural programme (i.e.) Adal Padal on the eve of Arulmigu Mariamman Kovil Vaigasi Festival at Mela Sinthalaicheri Village, Uthamapalayam Taluk, Theni District which is to be held on 27.05.2015.

For Petitioner : Mr.M.S.Jeyakarthik

For Respondents : Mr.R.Karthikeyan

Addl. Government 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 the eve of Arulmigu Mariamman Kovil Vaigasi Festival at Mela Sinthalaicheri Village, Uthamapalayam Taluk, Theni District which is to be held on 27.05.2015.

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 Temple Festival Committee and in our village, there is a temple viz., Arulmigu Sri Mariamman Kovil is situated and every year "Vaigasi Festival" is being conducted and this year also, the villagers jointly decided to conduct the village temple festival, with "Aadal Padal programme" on 27.05.2015. In this connection, a representation was



given on 25.04.2015 to the second respondent, with a request to grant permission to conduct "Adal Padal Programme" on 27.05.2015, however no order was passed by the second respondent 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 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 "Adal Padal programme" in connection with the temple festival of Arulmigu Mariamman Kovil Vaigasi Festival at Mela Sinthalaicheri Village, Uthamapalayam Taluk, Theni District.

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

(a) The cultural programme in connection with temple Festival at Arulmigu Mariamman Kovil Vaigasi Festival at Mela Sinthalaicheri Village, Uthamapalayam Taluk, Theni District be held on 27.05.2015 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.

<https://hcservices.ecourtsgov.in/Services> 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,
Theni District,
Theni.

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

+One cc to Mr.M.S.Jeyakarthick, Advocate, SR.No.24017

+One cc to the Special Government Pleader, SR.No.24739

akv

RL/5c - 8/5/2015

W.P(MD)No.7225 of 2015

29.04.2015