



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 30.04.2015
CORAM:

THE HONOURABLE Mr. JUSTICE M.M. SUNDRESH

Writ Petition (MD) No. 7368 of 2015

K. Manoharan

... Petitioner

Vs.

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

2. The Inspector of Police,
Musiri Police Station,
Trichy 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 to give police protection to conduct the "Adal Padal" dance programme on 03.05.2015 from 10.00 p.m. to 1.00 a.m. in pursuance to the Chitirai festival of the "Sri Meenakshiyamman Thirukoil" situated in Thumbalam Village, Musiri, Trichy District.

For Petitioner : Mr. R. Maheswaran

For Respondents : Mr. R. Karthikeyan

Addl. Government Pleader

ORDER

The Writ Petition has been filed seeking for the issuance of Writ of Mandamus, directing the respondents to grant permission and to give police protection to conduct the "Adal Padal" dance programme on 03.05.2015 from 10.00 p.m. to 1.00 a.m. in pursuance to the Chitirai festival of the "Sri Meenakshiyamman Thirukoil" situated in Thumbalam Village, Musiri, Trichy District.

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 belonged to Thumpalam Village and in the village, there is a temple called "Sri Meenakshiyamman Thirukoil" is situated and every year in the Tamil Month of Chithirai, the village people celebrate Temple festival. This year also they decided to conduct the village temple festival, with "Adal Padal Program" on 03.05.2015. In this connection, a representation was given on 27.04.2015 to the respondents 1 and 2, with a request to grant permission to conduct "Cultural Programme" on 03.05.2015, however the second respondent has refused to give permission 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 "Cultural Programme" in connection with the temple festival of "Sri Meenakshiyamman Thirukoil" situated in Thumbalam Village, Musiri, Trichy District.

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

(a) The cultural programme in connection with the temple Festival at "Sri Meenakshiyamman Thirukoil" situated in Thumbalam Village, Musiri, Trichy District 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.

Sd/-

Assistant Registrar(T & P)

\\True copy\\

Sub Assistant Registrar

To

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

2. The Inspector of Police, Musiri Police Station, Trichy District.

+1cc to MR.R.MAHESWARAN, ADVOCATE SR.NO.24257

W.P(MD)No.7368 of 2015
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