



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.04.2015

CORAM:

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THE HONOURABLE Mr.JUSTICE M.M.SUNDRESH

Writ Petition (MD) No.7582 of 2015

M.Manikandan

... Petitioner

Vs

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

2. The Inspector of Police,
Palani Chettiyapatti,
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 herein to grant permission and give necessary police protection to conduct the 'Aadalum Padalum' dance programme on 07.05.2015 from 7.00P.M to 10.00P.M. in pursuant to 'Chithirai Festival' of the Lower Camp Village, 'Sree Arulmigu Bhagavathiamman Temple' situated at Lower Camp village, Uthamapalayam Taluk, Theni District considering the petitioner's representation dated 28.04.2015.

For Petitioner : Mr.S.Ramachandra Pradeep

For Respondents : Mr.R.Karthikeyan
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking for the issuance of Writ of Mandamus, directing the respondents herein to grant permission and give necessary police protection to conduct the 'Aadalum Padalum' dance programme on 07.05.2015 from 7.00P.M to 10.00P.M. in pursuant to 'Chithirai Festival' of the Lower Camp Village, 'Sree Arulmigu Bhagavathiamman Temple' situated at Lower Camp village, Uthamapalayam Taluk, Theni District considering the petitioner's representation dated 28.04.2015.

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

3. Learned counsel for the petitioner would submit that the petitioner is the member of the Executive Committee of the temple and every year 'Sree Arulmigu Bhagavathiamman Temple' festival is being conducted by the villagers and this year also, the villagers jointly decided to conduct the village temple festival, with "Aadal Padal



programme" on 07.05.2015. In this connection, a representation was given on 28.04.2015 to the respondent police, with a request to grant permission to conduct "Adal Padal Programme" on 07.05.2015 however no order was passed by the 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 'Sree Arulmigu Bhagavathiamman Temple' at Lower Camp 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 'Sree Arulmigu Bhagavathiamman Temple,' "Chithirai Festival" at Lower Camp village, Uthamapalayam Taluk, Theni District be held on 07.05.2015 between **06.00p.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.

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Sd/-

Assistant Registrar (Writs)

/True copy/

Sub Assistant Registrar(C.S.)

To

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

2. The Inspector of Police,
Palani Chettiyapatti,
Theni District.

+1cc to Mr.S.Ramachandra Pradeep, Advocate, in SR. No. 23930

+1cc to Special Government Pleader, in SR No. 24925.

TS/06.05.2015/3P-5C

W.P (MD) No.7582 of 2015

30.04.2015