



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.04.2015

CORAM:

THE HONOURABLE Mr.JUSTICE M.M.SUNDRESH

Writ Petition(MD)No.7683 of 2015

Chakravarthy ... Petitioner
Vs

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

2.The Inspector of Police,
Kallakudi 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 herein to grant permission and give necessary police protection for conducting Karagattam Programme on 28.05.2015 for the completion of Thiruvizha of the famous temples Sri Arulmighu Selliamman Thiru Kovil situated at Melarasur Village, Lalgudi Taluk, Trichy District on the basis of the petitioner representation dated 28.04.2015.

For Petitioner : Mr.B.Jameel Arasu

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 for conducting Karagattam Programme on 28.05.2015 for the completion of Thiruzha of the famous temples Sri Arulmighu Selliamman Thiru Kovil situated at Melarasur Village, Lalgudi Taluk, Trichy District on the basis of the petitioner 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. The learned counsel appearing for the petitioner would submit that the petitioner is the President of the Festival Committee, Sri Arulmighu Selliamman Thiru Kovil, at Melarasur Village, Lalgudi Taluk, Trichy District 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, with "Karagattam" on 28.05.2015. In this connection, a representation was given on 28.04.2015 to the respondent police, with a request to grant permission to conduct "Karagattam" on 28.05.2015, 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. The only objection raised on behalf of the respondents is that already permission was granted for Karagattam by some other person.

5. This cannot be a ground to reject the request made, merely because, permission is granted to somebody else for the same and that it will create law and order problem and accordingly, the Writ Petition is disposed of with the following directions:

(a) The cultural programme in connection with temple Festival in connection with Chithirai Vaikasi Ther Thiruvizha at Sri Arulmighu Selliamman Thiru Kovil, at Melarasur Village, Lalgudi Taluk, Trichy District be held on 28.05.2015 and so far as the time for cultural programme/Karagattam is concerned, it is for the second respondent to fix the same.

(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 (CO)

/True copy/

Sub Assistant Registrar



To

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

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

+1cc to MR.S.JAMEEL ARASU, ADVOCATE IN SR : 24266

Pmu

SR : 11.05.2015 : 3p/4c

W.P (MD) No.7683 of 2015
30.04.2015