



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.05.2015

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Petition(MD)No.8591 of 2015

Muthuvel

... Petitioner

Vs.

The Sub Inspector of Police,
Malli Police Station,
Virudhunagar District.

... Respondent

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the rejection order of the respondent dated 23.05.2015 and quash the same and consequently direct the respondent to grant permission and protection to perform cultural Adalpadal program scheduled to be held on 28.05.2015 pursuant "Vaikasi Thiruvizha" at "Arulmigu Sri Santhanamariamman Kovil" at Mullikulam village, Srivilliputtur Taluk, Virudhunagar District.

For Petitioner : Mr.D.Ramesh Kumar

For Respondent : Mr.M.Murugan

Government Advocate

O R D E R

This Writ Petition has been filed seeking for the issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the rejection order of the respondent dated 23.05.2015 and quash the same and consequently direct the respondent to grant permission and protection to perform cultural Adalpadal program scheduled to be held on 28.05.2015 in connection with "Vaikasi Thiruvizha" of "Arulmigu Sri Santhanamariamman Kovil" at Mullikulam village, Srivilliputtur Taluk, Virudhunagar District.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondent.

3. Learned counsel for the petitioner would submit that the petitioner is the member of the festival committee of "Arulmigu Sri Santhanamariamman Kovil" situated at Mullikulam village, Srivilliputtur Taluk, Virudhunagar 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 "Aadal Padal programme" on 28.05.2015. In this



connection, a representation was given on 23.05.2015 to the respondent police, with a request to grant permission to conduct "Adal Padal Programme". The 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 by the counsel for respondent is that if permission is granted, it would likely lead to law and order problem. From the order passed by the 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 "Vaikasi Thiruvizha" of the temple festival of "Arulmigu Sri Santhanamariamman Kovil" situated at Mullikulam village, Srivilliputtur Taluk, Virudhunagar District however, with the following conditions:-

(a) The cultural programme in connection with temple Festival at "Arulmigu Sri Santhanamariamman Kovil" situated at Mullikulam village, Srivilliputtur Taluk, Virudhunagar District be held on 28.05.2015 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

<https://hcservices.ecourts.gov.in/> (h) Similarly, the police is entitled to stop the dance programme, if it exceeds beyond the permitted time.



(i) The respondent is directed to issue necessary permission, incorporating the above conditions.

No costs.

WEB COPY

Sd/-
Vacation Officer

/True copy/

Sub Assistant Registrar

pjl
To

The Sub Inspector of Police,
Malli Police Station,
Virudhunagar District.

+1cc to Mr.D.Ramesh Kumar, Advocate in Sr No.26352

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