



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:02.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P(MD) No. 8735 of 2015

K.MUTHUPANDI

... PETITIONER

Vs.

1 THE SUPERINTENDENT OF POLICE ,
VIRUDHUNAGAR DISTRICT,
OFFICE AT THE DISTRICT COLLECTORATE ,
VIRUDHUNAGAR.

2 THE INSPECTOR OF POLICE ,
M.REDDIAPATTI POLICE STATION,
M.REDDIAPATTI ,
VIRUDHUNAGAR DISTRICT.

3 THE SUB INSPECTOR OF POLICE,
M.REDDIAPATTI POLICE STATION,
M.REDDIAPATTI,
VIRUDHUNAGAR DISTRICT.

... RESPONDENTS

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the rejection order passed by the 3rd Respondent dated 23.05.2015 and to quash the same and consequently direct the Respondents to give permission to perform the cultural program of Adal Padal (Kalai Nigalchi) on 11.06.2015 in connection with the "Vaigasi Kalari Poojai Festival" in Arulmighu Eranga Muthammal Kovil at M.Reddiapatti Village, Aruppukkottai Taluk, Virudhunagar District.

For Petitioner : Mr.N.Anantha Padmanaban

For Respondents : Mr. S.Kumar

Additional Government Pleader

O R D E R

This writ petition has been filed seeking for the issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the rejection order passed by the 3rd Respondent dated 23.05.2015 and to quash the same and consequently direct the Respondents to give permission to perform the cultural program of Adal Padal (Kalai Nigalchi) on 11.06.2015 in connection with the "Vaigasi Kalari Poojai Festival" in "Arulmighu Eranga Muthammal



Kovil" at M.Reddiapatti Village, Aruppukkottai Taluk, Virudhunagar District.

2. Mr. S.Kumar, learned Additional Government Pleader takes notice on behalf of the respondents. By consent, the writ petition is taken up for disposal at the stage of admission.

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

4. Learned counsel for the petitioner would submit that the petitioner is the member of temple Festival Committee of "Arulmighu Eranga Muthammal Kovil" at M.Reddiapatti Village, Aruppukkottai 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 "Adal Padal programme" on 11.06.2015. 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" on 11.06.2015. The second respondent has passed an 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.

5. The only objection raised is that permission if granted likely would lead to law and order problem. 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.

6. 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 the temple festival of "Arulmighu Eranga Muthammal Kovil" at M.Reddiapatti Village, Aruppukkottai Taluk, Virudhunagar District.

7. Accordingly, the writ petition is disposed of with the following directions:

(a) The cultural programme in connection with temple Festival of "Arulmighu Eranga Muthammal Kovil" at M.Reddiapatti Village, Aruppukkottai Taluk, Virudhunagar District, be held on 11.06.2015 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. Consequently, the connected Miscellaneous Petition is closed.

No costs.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

PJL

To

1 THE SUPERINTENDENT OF POLICE ,
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M.REDDIAPATTI POLICE STATION,
M.REDDIAPATTI,
VIRUDHUNAGAR DISTRICT.

+1cc to MR.N.ANANTHAPADMANABAN,ADVOCATE IN SR NO.26940

+1cc to Special Government Pleader Sr NO. 27054

W.P(MD)No.8735 of 2015
02.06.2015

RG.05.06.2015

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