



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10/6/2015

C O R A M

WEB COPY

THE HONOURABLE Mr.JUSTICE M.M.SUNDRESH

Writ Petition (MD) No.9277 of 2015

S. Mahendran

... Petitioner

Vs

The Inspector of Police
Usilampatti Town Police Station
Usilampatti
Madurai District.

... Respondent

Prayer:- 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 pertaining to the impugned order dated 8/6/2015 on the file of the respondent and quash the same as illegal and consequently to direct the respondent to grant permission and police protection to conduct the cultural program Adal Padal on 12/6/2015 in the event of festival of Arulmigu Sri Kaliyamman Temple at Villani Village, Usilampatti Taluk, Madurai District without causing any disturbance to public order.

For Petitioner : Mr.M.Maran

For Respondent : Mr.R.Karthikeyan
Additional Government Pleader
- - - - -

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 impugned order dated 8/6/2015 on the file of the respondent and quash the same as illegal and consequently to direct the respondent to grant permission and police protection to conduct the cultural program Adal Padal on 12/6/2015 in the event of festival of Arulmigu Sri Kaliyamman Temple at Villani Village, Usilampatti Taluk, Madurai District without causing any disturbance to public order.

2.Heard the learned counsel appearing for the petitioner and the learned Addl.Govt.Pleader appearing for the respondent.

3.Learned counsel for the petitioner would submit that the petitioner is the one of the conveners of Arulmighu Sri Kaliyamman Temple at Villani Village, Usilampatti Taluk, Madurai District and every year the
<https://hcservices.ecourts.gov.in/hcservices/>
records of Arulmighu Sri Kaliyamman Temple at Villani Village, Usilampatti Taluk, Madurai District used to celebrate temple festival and this year



also, the villagers jointly decided to conduct the village temple festival on 11/6/2015 and 12/6/2015, with "Aadal Padal Programme" on 12/6/2015. In this connection, a representation was given on 8/6/2015 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 is that permission if granted likely would lead to law and order problem. From the order passed by the second 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 the temple festival of Arulmighu Sri Kaliyamman Temple, at Villani Village, Usilampatti Taluk, Madurai District, however, with the following conditions:-

(a)The cultural programme in connection with temple Festival at Arulmighu Sri Kaliyamman Temple, at Villani Village, Usilampatti Taluk, Madurai District to be held on 12/6/2015 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 respondent is directed to issue necessary permission, incorporating the above conditions.

No costs.

Sd/-

Assistant Registrar (T&P)

/True copy/

Sub Assistant Registrar



To

The Inspector of Police
Usilampatti Town Police Station
Usilampatti
Madurai District.

+lcc to Mr.M.Maran, Advocate, in SR. No. 29294

TS/10.06.2015/3P-3C

W.P (MD) No.9277 of 2015

10.06.2015