



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10/6/2015

C O R A M

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P (MD) No.9292 of 2015

N.S.Nataraj

... Petitioner

Vs

The Inspector of Police
Peravurani Police Station
Thanjavur District.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the respondent to grant permission and give Police protection to conduct the dance and song programme in front of Arulmighu Sri Malai Muthumariamman temple on 11/6/2015 from 07.00 p.m to 12.00 a.m at Pinnavasal Village, Peravurani Taluk, Thanjavur District.

For Petitioner : Mr.RMS.Sethuraman

For Respondent : Mr.R.Karthikeyan
Addl.Govt.Pleader

O R D E R

This Writ Petition has been filed seeking for the issuance of Writ of Mandamus, directing the respondent to grant permission and give Police protection to conduct the dance and song programme in front of Arulmighu Sri Malai Muthumariamman temple on 11/6/2015 from 07.00 p.m to 12.00 a.m at Pinnavasal Village, Peravurani Taluk, Thanjavur District.

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 villagers of the above said temple would celebrate Vaikasi Visagam festival of Arulmighu Sri Malai Muthumariamman temple situated at Pinnavasal Village, Peravurani Taluk, Thanjavur 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 on 11/6/2015 with "Aadal Padal programme" on 11/6/2015. In this connection, a representation was given to the respondent on 5/6/2015, with a request to grant permission to conduct "Adal Padal Programme" on 11/6/2015, 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 problem 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 Government Advocate 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 Arulmighu Sri Malai Muthumariamman temple situated at Pinnavasal Village, Peravurani Taluk, Thanjavur District.

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

(a) The cultural programme in connection with temple Festival at Arulmighu Sri Malai Muthumariamman temple situated at Pinnavasal Village, Peravurani Taluk, Thanjavur District to be held on 11/6/2015 from 07.00 p.m to 12.00 a.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 limit.

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

No costs.

Sd/-
Assistant Registrar

/True copy/



To
The Inspector of Police
Perayurani Police Station
Thanjavur District.

+lcc to Mr.RMS.Sethuraman, Advocate, in SR. No. 29254

TS/10.06.2015/3P-3C

W.P (MD) No.9292 of 2015

10.06.2015