



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Writ Petition(MD)No.9983 of 2015

Balamurugan

... Petitioner

Vs

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

2.The Inspector of Police,
Sempatti Police Station,
Dindigul 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 respondent No.2 to grant permission to the petitioner for conducting 'Aadal Padal (dance programme)' show at the evening hours on 21.06.2015, in the light of Sri Muniyappan Temple Thiruvizha at Mettupatti village, Nilakkottai Taluk, Dindigul District.

For Petitioner : Mr.M.Kamatchi

For Respondents : Mr.M.Murugan

Government Advocate (crl. side)

ORDER

This Writ Petition has been filed seeking for the issuance of Writ of Mandamus directing the respondent No.2 to grant permission to the petitioner for conducting 'Aadal Padal (dance programme)' show at the evening hours on 21.06.2015, in the light of Sri Muniyappan Temple Thiruvizha at Mettupatti village, Nilakkottai Taluk, Dindigul District.

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

3. Learned counsel for the petitioner would submit that in the petitioner's village viz., Mettupatti, Nilakkottai Taluk, Dindigul District, there are more than 1300 families and Sri Muniyappan Temple was constructed in that village 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 21.06.2015. In this connection, a representation was given on 17.06.2015 to the respondents police, with a request to grant permission to conduct "Aadal Padal Programme". The respondent has refused to receive the same 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.

<https://hcservices.ecourts.gov.in/hcservices/> The only objection raised is that if permission is granted, it would lead to law and order problem. In 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 Writ Petition is allowed and the petitioner is permitted to conduct 'Adal Padal programme' in connection with the festival of Sri Muniyappan Temple Thiruvizha at Mettupatti village, Nilakkottai Taluk, Dindigul District., however, with the following conditions:-

(a) The cultural programme in connection with the festival of Sri Muniyappan Temple Thiruvizha at Mettupatti village, Nilakkottai Taluk, Dindigul District, be held on 21.06.2015 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 respondent is directed to issue necessary permission, incorporating the above conditions.

No costs.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

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

2. The Inspector of Police, Sempatti Police Station,
Dindigul District.

+1cc to Mr.M.Kamatchi, Advocate in SR.32080

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