



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 19.06.2015

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CORAM:
THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Writ Petition(MD)No.9986 of 2015

P.Selvaraj

... Petitioner

Vs.

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

2.The Inspector of Police,
Chekanoorani Police Station,
Chekanoorani, Madurai District.

... Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the second respondent herein dated 16.06.2015 and quash the same and consequently direct the respondents herein to give permission to conduct Adal Padal dance program schedule to be held on 27.06.2015 in connection with Sri Sundhayee Amman Temple, situated at K.Mayakurumbanpatti Village, Usilampatti Taluk, Madurai District.

For Petitioner : Mr.M.Karuppasamy Pandian

For Respondents : Mr.M.Murugan
Government Advocate (crl. side)

ORDER

This Writ Petition has been filed seeking for the issuance of Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the second respondent herein dated 16.06.2015 and quash the same and consequently direct the respondents herein to give permission to conduct Adal Padal dance program schedule to be held on 27.06.2015 in connection with Sri Sundhayee Amman Temple, situated at K.Mayakurumbanpatti Village, Usilampatti Taluk, Madurai 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, there is a temple viz., "Sri Sundhayee Amman Temple" situated at K.Mayakurumbanpatti Village, Usilampatti Taluk, Madurai 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 27.06.2015. In this connection, a representation was given on 16.06.2015 to the second respondent police, with a request to grant permission to conduct "Adal Padal Programme". The second 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 if permission is granted, it would lead to law and order problem. In the order passed by the second respondent, there was no indication that law and order problem would be arisen. It is for the respondents 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 festival of "Sri Sundhayee Amman Temple" situated at K.Mayakurumbanpatti Village, Usilampatti Taluk, Madurai District, however, with the following conditions:-

(a) The cultural programme in connection with the festival of "Sri Sundhayee Amman Temple" situated at K.Mayakurumbanpatti Village, Usilampatti Taluk, Madurai District, be held on 27.06.2015 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.

<https://hcservices.ecourtsgov.in/hcservices> 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.

No costs.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

rj2

To

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

2.The Inspector of Police,
Chekanoorani Police Station,
Chekanoorani,
Madurai District.

+1cc to MR.M.KARUPPASAMY PANDIAN,ADVOCATE IN SR NO.32309

+1CC TO SPECIAL GOVERNMENT PLEADER IN SR NO.32342

W.P (MD) No.9986 of 2015

19.06.2015

RG.25.06.2015

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