



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.06.2016

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THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD)No.10423 of 2016

M.Nagaraj

... Petitioner

-vs-

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

2.The Sub Inspector of Police,
Paralachi Police Station,
Virudhunagar District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order issued by the 2nd respondent dated 11.06.2016 and quash the same as illegal and consequentially direct the 2nd respondent to grant permission to the temple festival for conducting Adal Padal Nigalchi at the evening hours on 18.06.2016 in Sri Selva Vinayagar Thirukkivil 12th Maha Kumbabisekam at Pothampatti Village Paralachi Post Virudhunagar District.

For Petitioner : Mr.R.Venkatasubramanian

For Respondents : Mr.D.Muruganandam
Addl. Govt. Pleader

O R D E R

The writ petition has been filed for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order issued by the second respondent dated 11.06.2016 and quash the same as illegal and consequently to direct the second respondent to grant permission for conducting Adal Padal Nagalchi at the evening hours on 18.06.2016 in Sri Selva Vinayagar Thirukkivil 12th Maha Kumbabisekam at Pothampatti Village, Paralachi Post, Virudhunagar District.

2. Mr.D.Muruganandam, learned Additional Government Pleader, takes notice for the respondents. By consent, the writ petition itself is taken up for final disposal.

<https://hcservices.ecourts.gov.in/hcservices/> and the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.



4. The learned counsel appearing for the petitioner would submit that the programme is being conducted by the villagers regularly in order to promote harmony during the above said festival period; that a representation was given to the respondents, but, however, the same was not considered by the respondent so far and hence, the petitioner is before this Court with this writ petition. The learned counsel appearing for the petitioner would further submit that as the aforesaid festival is celebrated in a peaceful manner by the villagers, there will be no untoward incident on account of this celebration.

5. The learned Additional Government Pleader appearing for the respondents, on instructions, would submit that the permission sought for by the petitioner may be granted with appropriate and stringent conditions for maintaining law and order and also to avoid any untoward incident during performance of such programme.

6. Accordingly, in view of the submission made by the learned Additional Government Pleader, the Writ Petition is disposed of with the direction to the respondent police to accord permission to the petitioner to conduct the Adal Padal Programme in connection with the festival of Sri Selva Vinayagar Thirukkivil 12th Maha Kumbabisekam at Pothampatti Village, Paralachi Post, Virudhunagar District, scheduled to be held on 18.06.2016 between 07.00 p.m. to 10.30 p.m. by incorporating the following conditions:-

(a) Obscene dance / songs / vulgar dialogues should be avoided during the programme;

(b) Songs conveying obscene double meaning should not be played in order to avoid awkwardness;

(c) No dance or songs, touching upon the conduct of any political party or community or caste be played;

(d) No flex boards in support of any political party or religious leader be erected;

(e) The programme shall be conducted without showing any discrimination based on caste / community etc., and it shall be ensured that it is towards promoting communal harmony;

(f) the participants of the programme shall not intake any kind of intoxicating substance or liquor during the programme;

(g) In respect of untoward incident occurring, the organizers of the programme be responsible for the same;

(h) If there is any violation of any of the conditions imposed, the concerned Police Officer is at liberty to take necessary action, as per law and stop such performance.

Sd/-

Assistant Registrar(T&P)

/True Copy/



To

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

WEB COPY

2.The Sub Inspector of Police,
Paralachi Police Station,
Virudhunagar District.

+One cc to Mr.R.Rajesh, Advocate, SR.No.30295

+One cc to The Special Government Pleader,SR.No.30318

mj

RL/5C/3P/NGM/MP/SARII/16/6/2016

W.P (MD) No.10423 of 2016

14.06.2016