



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 22.06.2016
CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD)No.10910 of 2016

WEB COPY

Duraimanickam

... Petitioner

-Vs-

The Inspector of Police,
Nagudi Police Station,
Aranthangi Taluk,
Pudukkottai District.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the respondent to grant permission and give Police protection to conduct the Dance and Song programme and using Box speakers at about 7.00 p.m. to 12.00 a.m. on 27.06.2016 in front of the "Arulmighu Sree Manicka Vinayagar Temple", Manickam Kudiyiruppu Agraharam, Arasarkulam Thenpathi Village, Aranthangi Taluk, Pudukkottai District.

For Petitioner : Mr.RMS.Sethuraman

For Respondent : Mr.D.Muruganandam,
Addl. Govt. Pleader.

O R D E R

The writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents to give permission and necessary Police protection to conduct the Dance and Song programme, scheduled on 27.06.2016 in connection with Santhanakappu Thiruvizha of "Arulmighu Sree Manicka Vinayagar Temple", at Manickam Kudiyiruppu Agraharam, Arasarkulam Thenpathi Village, Aranthangi Taluk, Pudukkottai District, by considering the petitioner's representation, dated 16.06.2016.

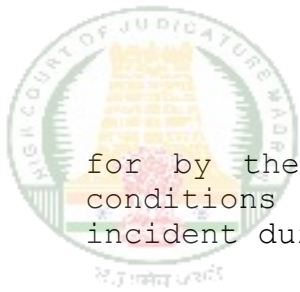
2.Mr.D.Muruganandam, learned Additional Government Pleader, takes notice for the respondent. By consent, the writ petition is taken up for final disposal at the stage of admission itself.

3.Heard 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 respondent, 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.

<https://hcservices.ecourts.gov.in/hcservices/>

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 a direction to the second respondent police to accord permission to the petitioner to conduct the Dance and Song programme in connection with Santhanakappu Thiruvizha of "Arulmighu Sree Manicka Vinayagar Temple", at Manickam Kudiyiruppu Agraharam, Arasarkulam Thenpathi Village, Aranthangi Taluk, Pudukkottai District, scheduled on 27.06.2016, between 07.00 p.m., and 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(AE)

/TRUE COPY/

Sub Assistant Registrar

To
The Inspector of Police,
Nagudi Police Station,
Aranthangi Taluk,
Pudukkottai District.

+1cc to M/S.RMS.Sethuraman, Advocate in SR.No.31906
+1cc to Special Government Pleader in SR.No.32319

ORDER MADE IN
W.P (MD) No.10910 of 2016
22.02.2016

gcbg
PA/GSV-PM/SAR II/23.06.2016/2P/4C (IT)