



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.06.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P (MD) No.11322 of 2016

K.Esakkimuthu

... Petitioner

-vs-

The Inspector of Police,
Sathankulam Police Station,
Thoothukudi 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 herein to grant permission and protection for cultural event namely, Adalpadal scheduled to be held on 05.08.2016, at night in connection with "Kodai Vizha" in Arulmigu Sri Vempadi Madasamy Kovil, at Pannamparai Village, Sathankulam Taluk, Thoothukudi District by considering the petitioner's representation dated 10.06.2016.

For Petitioner : Mr.R.Rajaraman

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 respondent herein to grant permission and protection for cultural event namely, Adalpadal scheduled to be held on 05.08.2016, at night in connection with "Kodai Vizha" in Arulmigu Sri Vempadi Madasamy Kovil, at Pannamparai Village, Sathankulam Taluk, Thoothukudi District by considering the petitioner's representation dated 10.06.2016.

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

3.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondent.

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

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.

5.The learned Additional Government Pleader appearing for the respondent, 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 cultural function at Arulmigu Sri Vempadi Madasamy Kovil, at Pannamparai Village, Sathankulam Taluk, Thoothukudi District scheduled on 05.08.2016 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 (CS-II)

/True Copy/

Sub Assistant Registrar (CS)



To

The Inspector of Police,
Sathankulam Police Station,
Thoothukudi District.

WEB COPY

+1cc to Mr.R.Rajaraman, Advocate, Sr.No.33568

+1cc to the Special Government Pleader, Sr.No.33733

gcg

JM/NGM-MP/SAR-III/04.07.2016/3P-4C

ORDER MADE IN
W.P (MD) No.11322 of 2016
28.06.2016