



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.07.2016

CORAM:

THE HON'BLE DR.JUSTICE S.VIMALA

WEB COPY

W.P(MD) No.11723 of 2016

Periyasamy

... Petitioner

-vs-

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

2. The Inspector of Police,
SIPCOT Police Station,
Tuticorin District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the 2nd respondent to grant permission and protection to conduct Dance Programme (Aadal Padal) from 02.07.2016 to 03.07.2016 in the eve of Kodaivila to "Arulmigu Sri Vadakkuva Chelliyamman, Sri Santhanamariamman Thirukovil" situated at Sankaraperi Village, Tuticorin Taluk, Tuticorin District in pursuant to the petition dated 29.06.2016.

For Petitioner : Mr.C.Bharathi

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 Mandamus, directing the 2nd respondent to grant permission and protection to conduct Dance Programme (Aadal Padal) from 02.07.2016 to 03.07.2016 in the eve of Kodaivila to "Arulmigh Sri Vadakkuva Chelliyamman, Sri Santhanamariamman Thirukovil" situated at Sankaraperi Village, Tuticorin Taluk, Tuticorin District in pursuant to the petition dated 29.06.2016.

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.

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 respondents 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 Dance Programme (Aadal Padal) in the eve of Kodaivila to "Arulmigh Sri Vadakkuva Chelliyamman, Sri Santhanamariamman Thirukovil" situated at Sankaraperi Village, Tuticorin Taluk, Tuticorin District scheduled from 02.07.2016 to 03.07.2016 between 7.00 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 (T&P)



To:

1. The Superintendent of Police,
Tuticorin District, Tuticorin.
2. The Inspector of Police,
SIPCOT Police Station,
Tuticorin District.
3. The Additional Government Pleader,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/s.K.Mahalakshmi, Advocate, Sr.No.34477

+1cc to the Special Government Pleader, Sr.No.34519

arul

JM/NGM-MP/SAR-I/01.07.2016/3P-6C

W.P(MD)No.11723 of 2016
01.07.2016