



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.07.2016

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CORAM:

**THE HON'BLE DR.JUSTICE S.VIMALA**

W.P (MD) No.12172 of 2016

A.Kanthasamy

... Petitioner

Vs.

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

2. The Inspector of Police,  
Sethur Police Station,  
Sethur, Virudhunagar District.

... Respondents

**Prayer:** Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to give permission and Police protection for conducting Aadal Padal Dance Programme on 14.07.2016 at about 9.00 p.m. for the Arulmigu Sri Pudhu Amman Temple situated at Devendrakula Kalaiararam, Sethur-Mettupatti, Sethur, Virudhunagar District, on the basis of the petitioner's representation dated 09.07.2016.

For Petitioner : Mr.S.Karthick Subramanian  
For Respondents : Mr.D.Muruganandam,  
Addl. Govt. Pleader.

### ORDER

The writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents to give permission and protection to conduct the Aadal Padal programme on 14.07.2016 in connection with Aani Pongal festival of Arulmigu Sri Pudhu Amman Temple, at Devendrakula Kalaiararam, Sethur-Mettupatti, Sethur, Virudhunagar District, based on the petitioner's representation dated 14.07.2016.

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.

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

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 2<sup>nd</sup> respondent, but, however, the same was not considered by the 2<sup>nd</sup> 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 venue is in busy locality and if the venue is changed, 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.The learned counsel for the petitioner, on instructions, would submit that the venue of the Aadal Padal programme will be changed and the same will be intimated to the second respondent Police on 13.07.2016.

7.Accordingly, in view of the submission made by the learned counsel for both sides, the Writ Petition is disposed of with a direction to the petitioner to give intimation with regard to the change of venue to the second respondent Police on 13.07.2016 and on receipt of the same, the 2<sup>nd</sup> respondent police is directed to accord permission to the petitioner to conduct the Aadal Padal programme in connection with Aani Pongal festival of Arulmigu Sri Pudhu Amman Temple, on 14.07.2016 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 ~~drugs or intoxicating substance~~ or liquor during the programme;

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



(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.

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Sd/-

Assistant Registrar (AS)

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,  
Virudhunagar District, Virudhunagar.
2. The Inspector of Police,  
Sethur Police Station,  
Sethur, Virudhunagar District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 35819  
+1cc to Mr.KARTHICK SUBRAMANIAN, Advocate Sr.No. 36116  
GCG  
TE/NGM-MP/SAR-I : 12/07/2016 : 3P/5C (IT)

ORDER MADE IN  
W.P (MD) No.12172 of 2016  
12.07.2016