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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.08.2016

CORAM

THE HON'BLE DR. JUSTICE S.VIMALA

W.P(MD)No.14075 of 2016

V.Manraj
Village President
Ramachandrapuram Pudur
Anaiyur Post
Sivakasi West,
Virudhunagar District

... Petitioner

-vs-

The Inspector of Police,
Town Police Station,
Sivakasi
Virudhunagar 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 to perform the dance program of Adal Padal on 10.08.2016 night at Arulmigu Kaliyamman Thirukovil situated Ramachandrapurampudur Village Aanaiyur Post Virudhunagar District and to provide adequate police protection based on petitioners representation dated 30.07.2016.

For Petitioner : M/s.K.Karmegam
for M/s.Mathuram Law Associates

For Respondent : Mr.D.Muruganandham
Addl. Govt. Pleader

ORDER

The writ petition has been filed for issuance of a Writ of Mandamus, directing the respondent to grant permission to perform the dance program of Adal Padal on 10.08.2016 night at Arulmigu Kaliyamman Thirukovil situated Ramachandrapurampudur Village Aanaiyur Post Virudhunagar District and to provide adequate police protection based on petitioners representation dated 30.07.2016.

2.Mr.D.Muruganandham, 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.

4.The learned counsel appearing for the petitioner would submit that the programme is being conducted by the villagers regularly in 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.

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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 **dance program of Adal Padal** at Arulmigu Kalliamman Thirukovil situated Ramachandrapurampudur Village Aanaiyur Post Virudhunagar District, scheduled on 10.08.2016 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. No costs.

Sd/

Assistant Registrar(AE)

/TRUE COPY/

Sub Assistant Registrar

To

The Inspector of Police, Town Police Station,
Sivakasi, Virudhunagar District.

+1cc to M/S.K.Karmegam, Advocate in SR.No.42401

+1cc to Special Government Pleader in SR.No.42572

ORDER MADE IN
W.P (MD) No.14075 of 2016
05.08.2016