



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.08.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD)No.15899 of 2016

Murugadas

... Petitioner

-VS-

- 1.The Superintendent of Police,
Sivagangai District.
- 2.The Inspector of Police,
Kallal Police Station,
Sivagangai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, to direct the respondents to grant permission to conduct Annadanam and Adalum Padalum in Sri. Poi Solla Meiya Ayyanar temple festival, Kalkulam Acchani Village, Sivagangai District on 04.09.2016.

For Petitioner : Mr.R.Alagumani

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

O R D E R

The writ petition has been filed for issuance of a writ of Mandamus, to direct the respondents to grant permission to conduct Annadanam and Adalum Padalum in Sri. Poi Solla Meiya Ayyanar temple festival, Kalkulam Acchani Village, Sivagangai District on 04.09.2016.

2.Mr.D.Muruganandham, 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 2nd respondent, but, however, the same was not considered by the 2nd 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 to Adal Padal has been rejected by the 2nd respondent on the ground of law and order problem.

6. Though the 2nd respondent has refused the permission on the ground that there is possibility of law and order problem, but no specific instances has been pointed out to show that there could be law and order problem. Hence, the Writ Petition is allowed and the order of rejection is set aside. The 2nd respondent is directed to accord permission to the petitioner to conduct the programme namely Adal Padal at Sri. Poi Solla Meiya Ayyanar temple festival, Kalkulam Acchani Village, Sivagangai on 04.09.2016 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(CS II)

/TRUE COPY/

Sub Assistant Registrar

sj



To

1.The Superintendent of Police,
Sivagangai District.

2.The Inspector of Police,
Kallal Police Station,
Sivagangai District.

+1 cc to Mr. R.Alagumani,Advocate, Sr.No: 47946

+1cc to M/S Special Government Pleader, Sr No. 47723

jam/30.08.16/SK-SKN/SAR I/3P-5C

ORDER MADE IN
W.P (MD) No.15899 of 2016
26.08.2016