

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 26.08.2016****CORAM****THE HON'BLE DR.JUSTICE S.VIMALA****W.P(MD)No.16028 of 2016**

P.Ramasamy

... Petitioner

-vs-

The Inspector of Police,
Keeranur Police Station,
Dindigul District.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the respondent in his proceedings dated 04.09.2016 and quash the same as illegal, consequently to direct the respondent to permit the petitioner to conduct the cultural function viz., Aadal Padal during the Kumbabishegam function of Arulmighu Vinayagar Arulmighu Malleeswara Perumal Temple, Marichilambu Village, Palani Taluk, Dindigul District on 04.09.2016 between 7.00 p.m. to 12.00 p.m. and further to direct the respondent to give police protection for the above said programme.

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

O R D E R

The writ petition has been filed challenging the order passed by the respondent rejecting the request of the petitioner to conduct the programme namely Aadal Padal in Arulmighu Vinayagar Arulmighu Malleeswara Perumal Temple Kumbabishegam function on 04.09.2016 at the petitioner's village (Marichilambu Village), Palani Taluk, Dindigul District.

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 order to promote harmony during the above said festival period; that a representation was given to the respondent, but, however, the same was rejected by the respondent 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 has been rejected by the respondent.

6. Perusal of the impugned order of rejection would go to show that the respondent has refused the permission and the reason as to why, the permission is not granted has not even been stated in the impugned order. Accordingly, the Writ Petition is allowed and the order of rejection is set aside. The respondent is directed to accord permission to the petitioner to conduct the programme namely Adal Padal at Arulmighu Vinayagar Arulmighu Malleeswara Perumal Temple, Marichilambu Village, Palani Taluk, Dindigul District 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/



To

The Inspector of Police,
Keeranur Police Station,
Dindigul District.

+1 CC to M/s.D.VENKATESH, Advocate, SR No.47876

+1 CC to THE SPECIAL GOVERNMENT PLEADER , SR No.47461

ORDER MADE IN
W.P (MD) No.16028 of 2016

sj

SH/CK/SAR-III:30.08.2016:2P/4C