



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.08.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD)No.16049 of 2016

Puvaneswaran

... Petitioner

-vs-

The Inspector of Police,
Kalayarkovil 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, directing the respondent to grant permission and protection for cultural event namely Adalpadal scheduled to be held on 13.09.2016 at night in connection with the "Karaka Thiruvizha" in Arulmigu Sri Muthumariamman Kovil, at Kandanipatti Village, Kalaiyarkovil Taluk, Sivagangai District, by considering the petitioner's representation dated 10.08.2016.

For Petitioner : Mr.S.Selvakumar
For Respondent : Mr.D.Muruganandham
Addl. Govt. Pleader

O R D E R

The writ petition has been filed for issuance of a Writ of Mandamus, directing the respondent to grant permission and protection for cultural event Adalpadal scheduled to be held on 13.09.2016 at night in connection with the "Karaka Thiruvizha" in Arulmigu Sri Muthumariamman Kovil, at Kandanipatti Village, Kalaiyarkovil Taluk, Sivagangai District, by considering the petitioner's representation dated 10.08.2016.

2. Mr.D.Muruganandham, learned Additional Government Pleader, takes notice for the respondent. By consent of both sides, the writ petition itself is taken up for disposal.

3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader 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 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 Government Advocate 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 tournament.

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 Adal Padal in connection with the Karaka Thiruvizha of Arulmigu Sri Muthumariamman Kovil, at Kandanipatti Village, Kalaiyarkovil Taluk, Sivagangai District, scheduled on 13.09.2016 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

/True Copy/

Sub Assistant Registrar.

To
The Inspector of Police, Kalayarkovil Police Station,
Sivagangai District.
+1CC to M/S.J. Jeya Aron Raja, Advocate, SR.No. 47492
+1CC to the Special Government Pleader, SR.No. 47462

ORDER MADE IN
W.P (MD) No.16049 of 2016