



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2016

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THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD)No.16170 of 2016

T.Kalimuthu

... Petitioner

-Vs-

The Inspector of Police,
Jegathapattinam Police Station,
Pudukkottai 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 and adequate police protection to conduct the "Aadal Padal programme" on 04.09.2016 on the eve of temple Festival at the Tamil month of Avani Festival "Sri Sevanthi Vinayagar Temple" is situated in Chellananthal, Jegathapattinam Village, Manimelpuri Taluk, Pudukottai District on the basis of the petitioner's representation dated 23.08.2016 within the time limit that may be stipulated by this Hon'ble Court.

For Petitioner : Mr.M.Subash Babu

For Respondent : Mr.D.Muruganandam

Additional Government 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 adequate police protection to conduct the "Aadal Padal programme" on 04.09.2016 on the eve of temple Festival in the Tamil month of Avani at "Sri Sevanthi Vinayagar Temple" situated in Chellananthal, Jegathapattinam Village, Manimelpuri Taluk, Pudukottai District on the basis of the petitioner's representation dated 23.08.2016 within the time limit that may be stipulated by this Hon'ble Court.

2.Mr.D.Muruganandam, learned Additional Government Pleader, takes notice for the respondent. By consent, the writ petition itself is taken up for final disposal.

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

5. The learned Additional Government Pleader 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 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 to accord permission to the petitioner to conduct "Adal Padal" Programme in connection with Temple Festival in the Tamil month of Avani at "Sri Sevathi Vinayagar Temple" situated in Chellananthal, Jegathapattinam Village, Manimelpuri Taluk, Pudukottai District, scheduled to be held on 04.09.2016 between 07.00 p.m. to 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.

Sd/

Assistant Registrar(W)



To

The Inspector of Police,
Jegathapattinam Police Station,
Pudukkottai District.

+1CC to M/S. M.Subash Babu, Advocate, SR.No. 48077
+1CC to the Special Government Pleader, SR.No. 47743

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srm
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