



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD)No.16182 of 2016

V.Oorkavalan

... Petitioner

-vs-

1. The Superintendent of Police,
Sivagangai District.

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

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to grant permission to perform cultural event namely **(*)Adal Padal** held on 04.09.2016 in connection with the temple festival namely "Vinayagar Sathurthi Vizha" situated at Mela Kuvalaiveli Village, Kattikulam Post, Manamadurai Taluk, Sivagangai District.

For Petitioner : Mr.B.Srinivasan
For Respondents : Mr.D.Muruganandam,
Additional Government Pleader

O R D E R

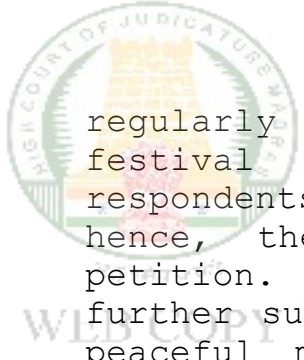
The writ petition has been filed for issuance of a Writ of Mandamus, directing the second respondent to grant permission to perform cultural event namely **(*)Adal Padal** held on 04.09.2016 in connection with the temple festival namely "Vinayagar Sathurthi Vizha" situated at Mela Kuvalaiveli Village, Kattikulam Post, Manamadurai Taluk, Sivagangai District.

2.Mr.D.Muruganandam, 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.

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

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 respondents, but, however, the same was not considered 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 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 second respondent to accord permission to the petitioner to conduct **(*)Adal Padal** function during the temple festival of "Vinayagar Sathurthi Vizha" at Mela Kuvalaiveli Village, Kattikulam Post, Manamadurai Taluk, Sivagangai District, scheduled to be held on 04.09.2016, between 07.00 p.m., and 10.30 p.m., by incorporating the following conditions:

(a) Songs conveying obscene double meaning should not be played;

(b) No songs touching upon the conduct of any political party or community or caste be played;

(c) No flex boards in support of any political party or religious leader be erected;

(d) 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;

(e) In respect of untoward incident occurring, the organizers of the programme be responsible for the same;

(f) 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(W)

**(*)Amended as per order of this court made in
W.P. (MD) No.16182/16, dated 31.08.2016 by Hon'ble SVJ.**

Sd/
Assistant Registrar(T&P)



To

To be substituted to the order already despatched on 29.08.2016.

1. The Superintendent of Police,
Sivagangai District.

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

+1CC to M/S. A.Banumathy, Advocate, SR.No. 49555

+1CC to the Special Government Pleader, SR.No. 47748

W.P (MD) No.16182 of 2016

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AM/GSV.PM/SAR-Co/29.08.2016/3P/5C

MKSK/GSV-PM/SAR-Co/02.09.2016/3P/5C