



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :09.09.2016

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THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P(MD)No.17118 of 2016

WEB COPY

P.Viswanathan

...Petitioner

vs.

1. The Superintendent of Police,
Tuticorin District.

2. The Inspector of Police,
Meygnanapuram Police Station,
Tuticorin District.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to grant permission to conduct the Entertainment and Cultural Programme namely Aadal Paadal (Dance & Songs) from 7.30 pm to 11.30 pm scheduled to be held on 28.09.2016 subsequent to the Temple Festival to Arulmigu Sri Mutharamman Temple in Semmarikulam Kaspas, Tiruchendur Taluk, Tuticorin District by considering the petitioner's representation dated 06.09.2016.

For Petitioner : Mr.S.Chandrabose
For Respondents : Mr.K.P.Krishna Doss
Government Advocate

O R D E R

The writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents to give permission and protection to conduct Aadal Paadal program scheduled to be held on 28.09.2016 from 7.30 p.m. to 11.30 p.m. at the Temple Festival to Arulmigu Sri Mutharamman Temple in Semmarikulam Kaspas, Tiruchendur Taluk, Tuticorin District, by considering the petitioner's representation, dated 06.09.2016.

2.Mr.K.P.Krishna Doss, learned Government Advocate, 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 Government Advocate 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 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.

<https://hcservices.ecourts.gov.in/hcservices/> 5. The learned Government Advocate 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 Government Advocate, the Writ Petition is disposed of with the direction to the respondent police to accord permission to the petitioner to conduct "Adal Padal" Programme in connection with the temple festival of Arulmigu Sri Mutharamman Temple in Semmarikulam Kaspā, Tiruchendur Taluk, Tuticorin District, scheduled to be held on 28.09.2016 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)

/True Copy/

Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court,
Madurai-23.

To

1. The Superintendent of Police, Tuticorin District.

2. The Inspector of Police, Meygnanapuram Police Station,
Tuticorin District.

+1cc to M/s.Chnadrabose, Advocate in SR.51272

+1cc to the Special Government Pleader, in SR.51453

W.P (MD) No.17118 of 2016
09.09.2016

pjl

PBK/AAL-MPA/SAR-I 14/09/2016 ::2P-5C:(IT)