



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.09.2016

CORAM

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THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P(MD)No.18210 of 2016

Jeyaraj

... Petitioner

vs.

The Inspector of Police,
G-2, Palanganatham Police Station,
Madurai District.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the Respondent to grant permission and adequate police protection to conduct Aadal Padal (Music Concert) Programme that is to be held on 09.10.2016 on the Eve of Temple Festival celebrating in Sri Kaliyamman, Sri Angalaparameswari Amman, Sri Vinayagaperuman and Sri Ayyanar Swamy Temple is situated in Ayyanarpuram, Keelamuthupatti Village, Madurai District, on the basis of the petitioner's representation dated 21.09.2016 within the time limit.

For Petitioner : Mr.M.Palaniraja
For Respondent : Mr.K.P.Krishna Doss
Government Advocate

O R D E R

The writ petition has been filed for issuance of Writ of Mandamus, to direct the respondent to grant permission and adequate police protection to conduct Aadal Padal (Music Concert) Programme that is to be held on 09.10.2016 on the Eve of Temple Festival celebrating in Sri Kaliyamman, Sri Angalaparameswari Amman, Sri Vinayagaperuman and Sri Ayyanar Swamy Temple is situated in Ayyanarpuram, Keelamuthupatti Village, Madurai District, on the basis of the petitioner's representation dated 21.09.2016.

2.Mr.K.P.Krishna Doss, learned Government Advocate, 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 Government Advocate 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 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 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 Aadal Padal (musical concert) function during the temple festival of Sri Kaliyamman, Sri Angalaparameswari Amman, Sri Vinayagaperuman and Sri Ayyanar Swamy Temple situated in Ayyanarpuram, Keelamuthupatti Village, Madurai District, scheduled to be held on 09.10.2016, 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;

(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.

Sd/-

Assistant Registrar(AE)

/TRUE COPY/

Sub Assistant Registrar



To

The Inspector of Police,
G-2, Palanganatham Police Station,
Madurai District.

+1cc to M/S.M.PALANIRAJA, ADVOCATE SR NO: 54799

+1cc to M/S.THE SPECIAL GOVERNMENT PLEADER, SR NO: 54979

pjl

JA-SS-3-SAR.3-28.09.2016/3P:4C

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