



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.10.2016

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THE HON'BLE MR. JUSTICE K.KALYANASUNDARAMW.P(MD)No.19564 of 2016

Subaselvam

... Petitioner

-vs-

The Inspector of Police,
Pavoorchadram Police Station,
Tirunelveli 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 protection for cultural event namely Adalpadal scheduled to be held on 15.10.2016 at night from 09.00 p.m. to 12.0 pm in connection with the Temple Festival in Arulmigu Sri Pathira Kaliyamman Kovil at Thippanampatti Village, Tenkasi Taluk, Tirunelveli District, by considering the petitioner's representation dated 26.09.2016.

For Petitioner : Mr.B.Anandan
For Respondent : 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 respondent to grant permission and protection for cultural event namely Adalpadal scheduled to be held on 15.10.2016 at night from 09.00 p.m. to 12.0 pm in connection with the Temple Festival in Arulmigu Sri Pathira Kaliyamman Kovil at Thippanampatti Village, Tenkasi Taluk, Tirunelveli District, by considering the petitioner's representation dated 26.09.2016.

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 by the respondent 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 there is a law and order problem in the above said place and a peace committee meeting is also conducted and hence, 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 cultural event namely Adalpadal scheduled to be held on 15.10.2016 in connection with the Temple Festival in Arulmigu Sri Pathira Kaliyamman Kovil at Thippanampatti Village, Tenkasi Taluk, Tirunelveli District 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(T&P)

/True Copy/

Sub-Assistant Registrar

To

The Inspector of Police, Pavoorchadram Police Station,
Tirunelveli District.

+One cc to Mr.B.Anandan, Advocate, SR.No.60286

+One cc to The Special Government Pleader, SR.No.60533

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