



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :26.10.2016

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WEB COPY

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P (MD) No.20714 of 2016

P.Shanmugaraj

.. Petitioner

vs.

The Inspector of Police,
Town Police Station,
Srivilliputhur,
Virudhunagar District.

.. Respondent

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 and necessary protection to perform the cultural programme (i.e.,) Adal Padal on 02.11.2016 at 07.00 p.m. to 11.00 p.m. in the eve of Sri Uchini Mahakaliyamman Kovil, in front of Sri Salai Vinayagar Temple, Thiruvanamalai Road, Srivilliputhur, Virudhunagar District and consider the petitioner's representation dated 23.10.2016.

For Petitioner : Mr.S.Prabhu
For Respondent : Mr.K.P.Krishna Doss
Government Advocate (Crl. Side)

O R D E R

The writ petition has been filed for issuance of a Writ of Mandamus, to direct the respondent to grant permission and necessary protection to perform the cultural programme (i.e.,) Adal Padal on 02.11.2016 at 07.00 p.m. to 11.00 p.m. in the eve of Sri Uchini Mahakaliyamman Kovil, in front of Sri Slai Vinayagar Temple, Thiruvanamalai Road, Srivilliputhur, Virudhunagar District and consider the petitioner's representation dated 23.10.2016.

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 to the court that the programme is being conducted by the villagers regularly and 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 Government Advocate appearing for the respondent, on instructions, would submit that the venue fixed by the petitioner for conducting the programme is a very narrow lane. So the respondent could not provide police protection.

6. At this juncture, the learned counsel for the petitioner would submit that the petitioner is ready to change the programme venue to some other place for which the learned Government Advocate has no objection.

7. 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 Sri Uchini Mahakaliyamman Kovil festival, in front of Sri Salai Vinayagar Temple, Thiruvanamalai Road, Srivilliputhur, Virudhunagar District, scheduled to be held on 02.11.2016 between 07.00 p.m. to 11.00 p.m. by incorporating the following conditions:-

(a) The petitioner shall change the venue as per the undertaking given by him;

(b) Dance / Songs conveying obscene double meaning should not be played in order to avoid awkwardness;

(c) No dance / 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/



To

The Inspector of Police,
Town Police Station,
Srivilliputhur,
Virudhunagar District.

+1cc to the special Government Pleader SR.No.64161
+1cc to Mr.S.Prabhu, Advocate SR.No.63937

pjl

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W.P (MD) No.20714 of 2016