



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2016

CORAM:

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P(MD) No.23148 of 2016

R.Vijayakanth

... Petitioner

-vs-

1.The Superintendent of Police,
Trichy District, Trichy.

2.The Inspector of Police,
Kollidam Police Station,
Trichy District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the respondents to grant permission and protection for Adal Padal Program perform in "Kumbabishegam" scheduled to be held on 04.12.2016 at Arulmigu Sri Selvamuthu Mariamman Thirukovil at Melatheru, Mela Uthamarseeli, Trichy, Trichy District.

For Petitioner : Mr.R.Karthick Rajan
For Respondents : Mr.K.P.Krishna Das
Government Advocate

O R D E R

The writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents to grant permission and protection for Adal Padal Program perform in "Kumbabishegam" scheduled to be held on 04.12.2016 at Arulmigu Sri Selvamuthu Mariamman Thirukovil at Melatheru, Mela Uthamarseeli, Trichy.

2. Mr.K.P.Krishna Das, 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 respondents.

4.The learned counsel appearing for the petitioner would submit that the Kumbabishegam of Arulmigu Sri Selvamuthu Mariammanthirukovil, Melatheru, Mela Uthamarseeli, Trichy is going to be held from 02.12.2016 to 04.12.2016 and many devotees in and around the village and other parts of the State come and worship the deity and the member of the Vizha Committee gave a representation to the 2nd respondent to grant permission for the Adal Padam program scheduled to be held on 04.12.2016 in



connection with the above temple festival, but, however, the same was not considered by the respondents 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 function is celebrated in a peaceful manner by the villagers, there will be no untoward incident on account of this celebration and that they will co-operate for maintenance of law and order in the locality.

5.The learned Government Advocate appearing for the respondent, 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 program.

6.Accordingly, in view of the submission made by the learned Government Advocate and recording the undertaking given by the petitioner, the Writ Petition is disposed of with the direction to the 2nd respondent police to accord permission to the petitioner and also police protection to conduct the 'Adal Padal Program' in connection with the festival of the above temple, on 04.12.2016, between 7.00 p.m., and 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. No costs.

Sd/-

Assistant Registrar (P&A)



To:

1.The Superintendent of Police,
Trichy District, Trichy.

2.The Inspector of Police,
Kollidam Police Station,
Trichy District.

+1cc to Mr.R.Karthick Rajan, Advocate in SR No.74130

+1cc to the Spl.Govt.Pleader in SR No.74232

W.P. (MD) No.223148 of 2016
30.11.2016

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