



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :02.12.2016

CORAM

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P(MD)No.23561 of 2016

S.Udayan

... Petitioner

vs.

The Inspector of Police, Chinnamanur Police Station,
Uthamapalayam Taluk, Theni 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 necessary protection to perform the cultural programme ie., Adal Padal on 07.12.2016 at 06.00 p.m., to 10.00 p.m., in the eve of Arulmighu Sri Kaliyamman Thirukovil "Thiruvizha" at Uoothupatty, Kanniyampatti, Uthamapalayam Taluk, Theni District by considering the petitioner's representation, dated 30.11.2016.

For Petitioner : Mr.C.Bethanasamy
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, directing the respondent to grant permission and necessary protection to perform the cultural programme ie., Adal Padal on 07.12.2016 at 06.00 p.m., to 10.00 p.m., in the eve of Arulmighu Sri Kaliyamman Thirukovil "Thiruvizha" at Uoothupatty, Kanniyampatti, Uthamapalayam Taluk, Theni District by considering the petitioner's representation, dated 30.11.2016.

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 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 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 Arulmighu Sri Kaliyamman Thirukovil "Thiruvizha" at Uoothupatty, Kanniyampatti, Uthamapalayam Taluk, Theni District, scheduled to be held on 07.12.2016 between 06.00 p.m. to 10.00 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

ASST REGISTRAR (RECORDS)

pm

TRUE COPY

SUB ASST REGISTRAR

To

The Inspector of Police, Chinnamanur Police Station,
Uthamapalayam Taluk, Theni District.

1CC TO MR. C. BETHANASAMY, ADVOCATE SR: 78615

1CC TO THE SPL GOVT PLEADER SR: 78946

AM GSV PM SAR 1

W.P (MD) No.23561 of 2016

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