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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.12.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

AND

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.25086 of 2016

S.Kasimayan

... Petitioner

Vs.

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

2.The Inspector of Police,
Sindhupatti Police Station,
Madurai,
Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to grant permission and necessary protection to perform the cultural programme, i.e. Dance Programme on 29.12.2016 from 06.00 p.m., to 10.00 p.m., in the festival of Arulmighu Sri Santhana Mariyamman Thirukovil at Vagurani, Usilampatti Taluk, Madurai District.

For Petitioner : Mr.V.Manikandan

For Respondents : Mr.K.P.Krishnadoss
Government Advocate

O R D E R

(Order of the Court was made by **K.KALYANASUNDARAM, J.**)

The writ petition has been filed for issuance of a Writ of Mandamus directing the respondents to grant permission and necessary protection to perform the cultural programme, i.e. Dance Programme on 29.12.2016 from 06.00 p.m., to 10.00 p.m., during the festival of Arulmighu Sri Santhana Mariyamman Thirukovil at Vagurani, Usilampatti Taluk, Madurai District.

2. Mr.K.P.Krishnadoss, 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.

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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 respondents, 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 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 appearing for the respondents, this writ petition is disposed of, with the direction to the second respondent police to accord permission to the petitioner to conduct Adal Padal scheduled to be held on 29.12.2016 in connection with the festival of Arulmighu Sri Santhana Mariyamman Thirukovil at Vagurani, Usilampatti Taluk, Madurai District., 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. No costs.

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Sd/-
Vacation Officer

/True Copy/

Sub Assistant Registrar

To

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

2.The Inspector of Police,
Sindhupatti Police Station,
Madurai,
Madurai District.

+1cc to Mr.V.Manikandan, Advocate in SR No.83667

W.P (MD) No.25086 of 2016
29.12.2016

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