



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.05.2016
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THE HON'BLE MR.JUSTICE S.S.SUNDAR

W.P.(MD) No. 9554 of 2016

S.Velmahendran

... Petitioner

-vs-

1. The Superintendent of Police,
Office of the Superintendent of Police,
Theni District,
Theni.

2. The Inspector of Police,
Chinnamanur Police Station,
Chinnamanur,
Theni District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to give permission to perform the cultural programme of Adal Padal (Kalai Nigaltchi) on 26.05.2016 in connection with the "Pongal Festival" in Arulmighu Sri Kalamman Thirukovil at Karunkattangulam, Chinnamanur, Theni District.

For Petitioner : Mr.K.Neelamegam

For Respondents : Mr.D.Muruganandam,
Additional Government Pleader

O R D E R

The petitioner has come forward with this Writ Petition for issuance of a Mandamus seeking a direction to the respondents to give permission to perform the cultural programme of Adal Padal (Kalai Nigaltchi) on 26.05.2016 in connection with the "Pongal Festival" in Arulmighu Sri Kalamman Thirukovil at Karunkattangulam, Chinnamanur, Theni District.

2.The learned counsel for the petitioner would submit that the villagers jointly decided to conduct Adal Padal on 26.05.2016 in connection with a "Pongal Festival" in Arulmighu Sri Kalamman Thirukovil at Karunkattangulam, Chinnamanur, Theni District. He would further submit that in this connection, a representation was given to the second respondent police on 18.05.2016 and the



reminder dated 23.05.2016, with a request to grant permission and protection to conduct the programme on the above said date. However, the respondent Police has not yet considered the said representation and hence, the petitioner is before this Court with this Writ Petition.

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3.The learned Additional Government Pleader appearing for the respondents would submit that this Court may grant permission for Aadal Paadal programme with stringent conditions.

4. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

5.Considering the limited scope of prayer sought for in this petition, the Writ Petition is disposed of with the following directions:

(a) the cultural dance programme in connection with the "Pongal Festival" in Arulmighu Sri Kaliyamman Thirukovil at Karunkattangulam, Chinnamanur, Theni District, be held on 26.05.2016 before 10.30 p.m.

(b) there should not be any kind of obscene dance or vulgar dialogues during the performance, by any one of the participants;

(c) double meaning songs should not be played so as to spoil the minds of students and the youth;

(d) no dance or songs, touching upon any political party or religion, community or caste be played;

(e) no flex boards in support of any political party or religious leader be erected;

(f) the function should not affect either religious or communal harmony and shall be conducted without any discrimination based on caste;

(g) if there is any violation of any one of the conditions imposed, the concerned Police Officer is at liberty to take necessary action, as per law and stop such performance;

(h) similarly, the Police is empowered to stop the dance programme, if it exceeds beyond the permitted time;

(i) the participants of the programme shall not intake any kind of intoxic substance or liquor during the programme; and

(j) if any untoward incident takes place, the organizers of the programme be made responsible for the same.

The second respondent concerned is directed to issue necessary permission, incorporating the above conditions and ensure the observance of the conditions to maintain public order and tranquillity. It is open to the respondents to take appropriate action in the event of non-observance of the conditions stipulated.



6. With the above directions, the Writ Petition is disposed of.
No costs.

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/True Copy/

Sd/-
Vacation Officer,

Sub Assistant Registrar

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To:

1. The Superintendent of Police,
Office of the Superintendent of Police,
Theni District,
Theni.
2. The Inspector of Police,
Chinnamanur Police Station,
Chinnamanur,
Theni District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.K.Neelamegam Advocate Sr.No.26873
1CC to Mr.Spl.Government Pleader Sr.No.27031

GJM/AAL/MPA/SAR-I-25.5.16-3p-6C

W.P. (MD) No.9554 of 2016
25.05.2016