



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. 9615 of 2016

V.Thirumoorthy

...Petitioner

-vs-

The Sub-Inspector of Police,
Keeramangalam Police Station,
Aranthangi Taluk,
Pudukkottai District.

...Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the respondent dated 23.05.2016, quash the same as illegal and arbitrary and further directing the respondent to give permission and protection for conducting Aadal Paadal Programme in pursuance of the Vaigasi Visagam Festival of Sri Arulmigu Muthumariamman Kovil situate at Neivathali Village, Aranthangi Taluk, Pudukkottai District on 26.05.2016 from 7.00 p.m., to 11.00 p.m., by considering the petitioner's representation dated 23.05.2016.

For Petitioner: Mr.RMS.Sethuraman

For Respondent: Mr.D.Muruganandam,

Additional Government Pleader

O R D E R

The petitioner has come forward with this Writ Petition for issuance of a Certiorarified Mandamus seeking a direction to call for the records pertaining to the respondent dated 23.05.2016, quash the same as illegal and arbitrary and further directing the respondent to give permission and protection for conducting Aadal Paadal Programme in pursuance of the Vaigasi Visagam Festival of Sri Arumigu Muthumariamman Kovil situate at Neivathali Village, Aranthangi Taluk, Pudukkottai District on 26.05.2016 from 7.00 p.m., to 11.00 p.m., by considering the petitioner's representation dated 23.05.2016.

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 festival at Vaigasi Visagam Festival of Sri Arulmigu Muthumariamman Kovil situate at Neivathali Village, Aranthangi Taluk, Pudukkottai District. He would further submit that in this connection, a representation was given to the respondent police on 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.

3. The learned Additional Government Pleader appearing for the respondent 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 respondent.

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 festival of Vaigasi Visagam Festival of Sri Arumigu Muthumariamman Kovil situate at Neivathali Village, Aranthangi Taluk, Pudukkottai 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 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



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

Sd/-
Assistant Registrar/
Vacation Officer

/True copy/

Sub Assistant Registrar (CS)

To:

1. The Sub-Inspector of Police,
Keeramangalam Police Station,
Aranthangi Taluk,
Pudukkottai District.
- 2 The Addl. Government Pleader,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/s.RMS.Sethuraman, Advocate in SR.26921
+1cc to the Special Government Pleader, in SR.27005

W.P. (MD) No.9615 of 2016
25.05.2016

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PBK/NGM-SS/SAR-I 25/05/2016 ::3P-5C:: (IT)