

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 06.07.2017****CORAM:****THE HONOURABLE MR.JUSTICE S.S.SUNDAR****W.P. (MD) No.12498 of 2017**

S.Alagurasu

... Petitioner

Vs.

The Inspector of Police,
Nagudi Police Station,
Aranthangi Taluk,
Pudukkottai District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondent to grant permission and police protection to conduct Dance and Song programme on 09.07.2017, 10.07.2017, 11.07.2017 and 12.07.2017 at about 7.00 p.m., to 11.00 p.m., in front of "Arulmighu Mahamuthumariamman Temple", at Arasarkulam North Village, Aranthangi Taluk, Pudukkottai District.

For Petitioner : Mr.RMS.Sethuraman

For Respondent : Mr.A.Muthukkaruppan,
Additional Government Pleader.

O R D E R

The petitioner has come forward with this Writ Petition for issuance of a Writ of Mandamus seeking a direction to the respondent to grant permission and police protection to conduct Dance and Song programme on 09.07.2017, 10.07.2017, 11.07.2017 and 12.07.2017 at about 7.00 p.m., to 11.00 p.m., in front of "Arulmighu Mahamuthumariamman Temple", at Arasarkulam North Village, Aranthangi Taluk, Pudukkottai District.

2. The learned counsel for the petitioner would submit that the villagers jointly decided to conduct "Adal Padal" programme on 09.07.2017, 10.07.2017, 11.07.2017 and 12.07.2017 in connection with a festival of "Arulmighu Mahamuthumariamman Temple" at Arasarkulam North Village, Aranthangi Taluk, Pudukkottai District. He would further submit that in this connection, a representation



was given to the second respondent on 20.06.2017, 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 respondent, on instructions submitted that the permission may be granted for Dance and Song programme, however, subject to stringent conditions.

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

5. Under such circumstances, the Writ petition is allowed. The respondent police is directed to accord permission to the petitioner, incorporating the specific conditions and ensure the observance of the conditions to maintain public order and tranquillity. It is open to the respondent to take appropriate action in the event of non-observance of the conditions stipulated hereunder to conduct "Dance and Song" programme at the festival of "Arulmighu Mahamuthumariamman Temple" at Arasarkulam North Village, Aranthangi Taluk, Pudukkottai District.

(a) the "Dance and Song" programme in connection with the festival of "Arulmighu Mahamuthumariamman Temple" at Arasarkulam North Village, Aranthangi Taluk, Pudukkottai District" scheduled to be held from 09.07.2017, 10.07.2017, 10.07.2017, 11.07.2017 and 12.07.2017 should be completed 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 in-toxic 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.

No costs.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

The Inspector of Police,
Nagudi Police Station,
Aranthangi Taluk,
Pudukkottai District.

+1cc to Mr.RMS.Sethuraman, Advocate Sr.No.63827
+1cc to The Spl.Government Pleader SR.No.63967

PMU

VB/SKN-RSK/SAR1/07.07.2017/3P/4C

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