



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2017

CORAM:

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

W.P. (MD) No.12715 of 2017

M.Arumugam

... Petitioner

Vs.

The Inspector of Police,
Keelavalavu Police Station,
Keelavalavu,
Melur Taluk,
Madurai 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 herein to give necessary police protection and permit the petitioner to conduct "Adalum Padalum" Cultural program during Arulmigu Sree Kalyani Muthuaiah Ayyanar Swamy Kovil Puravieduppu Utchavam, Ariyapatti, Attapatti Village, Melur Taluk, Madurai District on 15.07.2017 and consider the petitioner's representation dated 06.07.2017.

For Petitioner : Mr.C.Sasikumar
For Respondent : Mr.A.Muthu Karupan
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 give permission and necessary protection to perform the cultural programme (ie.,) "Adalum Padalum" on 15.07.2017, in the eve of Arulmigu Sree Kalyani Muthuaiah Ayyanar Swamy Kovil Puravieduppu Utchavam, Ariyapatti, Attapatti Village, Melur Taluk, Madurai District, by considering the petitioner's representation, dated 06.07.2017.

2.The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Adalum Padalum" programme on 15.07.2017, in connection with the festival of Arulmigu Sree Kalyani Muthuaiah Ayyanar Swamy Kovil Puravieduppu Utchavam, Ariyapatti, Attapatti Village, Melur Taluk, Madurai District. He further submitted that in this connection, a representation was given to the



respondent on 06.07.2017, 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 submitted that the objection was raised by mistake with regard to the identity of Village. The learned Additional Government Pleader further submitted that insofar as the temple festival in Ariyapatti, Attapatti Village is concerned, there is no criminal antecedent in relation to the temple festival and no untoward incidents is reported in the past. Sum and substance, there is no serious objection for the conduct of festival.

4. Having regard to the facts and circumstances of the case, this Court is inclined to dispose of the writ petition with a direction to the respondent/Inspector of Police, Keelavalavu Police Station, Madurai, to consider the representation of the petitioner, dated 06.07.2017 and to give permission and to provide police protection for conducting "Adalum Padalum" programme on 15.07.2017, in connection with the festival of "Arulmigu Sree Kalyani Muthuaiah Ayyanar Swamy Kovil Puravieduppu Utchavam, Ariyapatti, Attapatti Village, Melur Taluk, Madurai District, subject to the following conditions and any other reasonable restrictions that may be imposed by the respondent in order to maintain public peace and communal harmony:

(a) the "Adalum Padalum" programme in connection with the festival at "Arulmigu Sree Kalyani Muthuaiah Ayyanar Swamy Kovil Puravieduppu Utchavam, Ariyapatti, Attapatti Village, Melur Taluk, Madurai District, scheduled to be held on 15.07.2017 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;

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(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 (T&P)

/True Copy/

Sub Assistant Registrar

To

The Inspector of Police,
Keelavalavu Police Station,
Keelavalavu,
Melur Taluk,
Madurai District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 64996
+ 1 CC TO Mr.C.SASIKUMAR, ADVOCATE IN SR No. 64814

SRM/IA

TE/SKN-RSK/SAR-I : 14/07/2017 : 3P/4C

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