



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.08.2017

CORAM

THE HON'BLE MR.JUSTICE S.S.SUNDAR

W.P.(MD) No.14308 of 2017

WEB COPY

K.Natarajan

... Petitioner

-Vs-

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

2.The Inspector of Police,
Eriyodu Police Station,
Dindigul District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to grant permission and protection to perform a temple festival on 12.08.2017 and "Muthalamman Drama" program scheduled to be held on 13.08.2017 at 9 p.m., "Kovil Festival" at "Sithi Vinayakar, Maanpundy Nalandavar and Karupasamy Temples" at Vedasanthur Taluk, Dindigul District based on the petitioner's representation, dated on 27.07.2017.

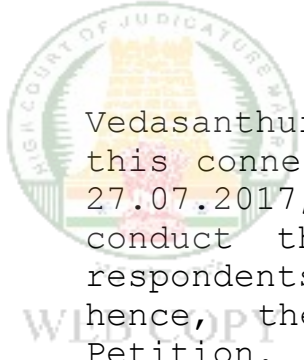
For Petitioner : Mr.B.Vinoth Balan
For Respondents : Mr.A.K.Baskara Pandiyan,
Special Government Pleader.

ORDER

This Writ petition is filed for issuing a Writ of Mandamus seeking a direction to the second respondent to grant permission and protection to perform a temple festival on 12.08.2017 and "Muthalamman Drama" program scheduled to be held on 13.08.2017 at 9 p.m., in connection with "Kovil Festival" at "Sithi Vinayakar, Maanpundy Nalandavar and Karupasamy Temples" at Vedasanthur Taluk, Dindigul District, based on the petitioner's representation, dated on 27.07.2017.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

3. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Muthalamman Drama" programme on 13.08.2017 in connection with "Kovil" festival in "Sithi Vinayakar, Maanpundy Nalandavar and Karupasamy Temples", at



Vedasanthur Taluk, Dindigul District. He further submitted that in this connection, a representation was given to the respondents on 27.07.2017, with a request to grant permission and protection to conduct the programme on the above said date. However, the respondents have not yet considered the said representation and hence, the petitioner is before this Court with this Writ Petition.

4. The learned Special Government Pleader appearing for the respondent submitted that this Court may grant permission for "Muthalamman Drama" programme subject to stringent conditions.

5. Considering the facts and circumstances of the case, the Writ Petition is disposed of with the following directions:

The second respondent/The Inspector of Police, Eriyodu Police Station, Dindigul District, is directed to consider the representation of the petitioner, dated 27.07.2017 and to give permission and to provide police protection for "Muthalamman Drama" programme in connection with "Kovil Festival" in "Sithi Vinayakar, Maanpundy Nalandavar and Karupasamy Temples", at Vedasanthur Taluk, Dindigul District, scheduled to be held on 13.08.2017, subject to the following conditions;

*(a) the "Muthalamman Drama" programme in connection with "Kovil" festival in "Sithi Vinayakar, Maanpundy Nalandavar and Karupasamy Temples", at Vedasanthur Taluk, Dindigul District, scheduled to be held on 13.08.2017 should be completed before **02.00 a.m., on 14.08.2017.***

(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;



liberty to take necessary action, as per law and stop such performance;

(h) similarly, the Police is empowered to stop the 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.

6. It is open to respondents to put any further restrictions or to impose any conditions purely in the interest of preserving public order and tranquillity. There can be a total ban for putting up any Flex Boards representing any community. No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

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

2.The Inspector of Police,
Eriyodu Police Station,
Dindigul District.

+1cc to Mr.B.VINOTH BALAN Advocate in SR. NO.69595
+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No.70225
PMU
JS/JC/SAR.3/1.8.2017/3P-5C

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