



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.05.2018

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THE HONOURABLE Mr.JUSTICE M.S.RAMESH

Cr1.OP(MD)No.8185 of 2018

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.. Petitioner

Vs

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

2.The Inspector of Police,
Cholavanthan Police Station,
Madurai District.

.. Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.PC, praying to direct the second respondent to give permission and police protection for cultural event namely Adalpadal scheduled to be held on 31.05.2018 at night from 08.00 to 01.00 hours in connection with " Vaikasi Festival" in Arulmighu Sri Kaliyamman Temple in Karuppadi Village, Vadipatti Taluk, Madurai District by considering the petitioner's representation dated 02.05.2018.

For Petitioner : Mr.E.Balasubramanian

For Respondents : Mr.A.P.G.Ohm Chairma Prabhu,
Government Advocate (Criminal Side)

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O R D E R

Seeking permission and police protection to conduct cultural programme in the event of " Vaikasi Festival" in Arulmighu Sri Kaliyamman Temple in Karuppadi Village, Vadipatti Taluk, Madurai District, the petitioner made a representation dated 02.05.2018 to the respondents. As the same has not been considered, the present criminal original petition has been filed.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondents.

3. Learned Government Advocate (Criminal Side), on instructions, would submit that there is likelihood of arising law and order problem.

4.This Court in a batch of petitions has held that permission for cultural programmes in temple can be granted and the same could be regulated by the police in order to avoid any law and order situation or misuse of the permission by resorting to vulgarity/obscenity.



5. Under such circumstances, the criminal original petition is allowed and the petitioner is permitted to conduct cultural programme, however, with the following conditions:-

(a) The cultural programme in connection with the event of "Vaikasi Festival" in Arulmighu Sri Kaliyamman Temple in Karuppadi Village, Vadipatti Taluk, Madurai District, shall be conducted on 31.05.2018 between 06.00 p.m. and 11.00 p.m.

(b) There should not be any kind of obscene dance or vulgar dialogues during the performance, by anyone of the participants.

(c) Double meaning songs should not be played so as to spoil the minds of students and youths.

(d) No dance or songs, touching upon any political party or religion or community or caste shall be played.

(e) No flex boards in support of any political party or communal leader, shall be erected at the premises of the programme.

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

(g) If there is 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 forthwith; and

(h) Similarly, the police is directed to stop the dance programme, if it is played beyond the permitted time limit.

(i) The respondents are directed to issue necessary protection and permission, incorporating the above conditions.

(j) It is made clear that the concerned police officer shall give due consideration to any person, other than the petitioner, who may claim rights of conducting cultural programme and take a final decision after giving due consideration to such rival contentions.

(k) In case if there is any discrepancy with regard to the date on which the programme is to be conducted, it would be open to the respondents to extend protection on some other day after giving due notice to the petitioner.

Sd/-

Vacation Officer.

/True Copy/

Sub Assistant Registrar

To

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

2. The Inspector of Police, Cholavanthan Police Station, Madurai District.

3. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+1CC to Mr. E. Balasubramanian, Advocate, SR.No. 65499

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