



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2018

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THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

W.P.(MD)No.24680 of 2018

Senthilkumar

... Petitioner

Vs.

1.The Superintendent of Police,
Sivagangai District.

2.The Inspector of Police,
Ulagampatti Police Station,
Sivagangai District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the respondents to grant necessary permission and give adequate police protection to conduct "Virattu Manjuvirattu" in village namely Vellampatti Post, Singampunari Taluk Sivagangai District on 16.12.2018 subsequent to the Margali Festival of Arulmigu Adaikalam Katha Ayyannar Temple situated in Village by considering the representation dated 10.12.2018.

For Petitioner : Mr.K.G.Arun Kumar

For Respondents : Mr.R.Anandharaj

Additional Public Prosecutor

ORDER

This writ petition has been filed to issue a direction to the respondents to grant necessary permission and give adequate police protection to conduct "Virattu Manjuvirattu" in village namely Vellampatti Post, Singampunari Taluk Sivagangai District on 16.12.2018 subsequent to the Margali Festival of Arulmigu Adaikalam Katha Ayyannar Temple situated in Village by considering the representation dated 10.12.2018.

2.Heard the learned Counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3.The petitioner has made a representation dated 10.12.2018 to the respondents, seeking for a direction and since no order has been passed, the petitioner has filed this Writ Petition.



4.The learned counsel appearing for the petitioner submitted that this festival is being conducted for 50 years in the Temple, namely Arulmigu Adaikalam Katha Ayyannar Temple in the above said Village. This festival, in fact is jointly conducted by the villagers belonging to the said village.

5.The learned Additional Government Pleader appearing for the respondents would submit that the respondents is not in a position to permit the same, since it may cause law and order problem.

6.It is seen from the records that Virattu Manjuvirattu has been conducted in the above said village for more than 50 years, jointly by the village people. Hence, this Court is of the view that mere apprehension of the law and order problem itself is not a ground to reject the permission without there being any material to substantiate the same. In this case, it is seen that there is no rival party to interfere and therefore, there is no ground to reject granting such a permission.

7.Considering the facts and circumstances of the case, the second respondent is directed to grant permission and provide protection to the petitioner for conducting Virattu Manjuvirattu on 16.12.2018 in the village namely Vellampatti Post, Singampunari Taluk Sivagangai District in the temple namely Arulmigu Adaikalam Katha Ayyannar Temple with the following conditions:

"(a)the participants are directed not to harass the animals.

(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 be 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)the participants of the programme shall not intake any kind of in-toxic substance or liquor during the programme; and

<https://hcservices.ecourts.gov.in/hcservices/>

(i) if any untoward incident takes place, the



organizers of the programme be made responsible for the same."

8.The second respondent/the Inspector of Police, Ulagampatti Police Station, Sivagangai District is directed to take all steps to ensure that the programme is conducted in a peaceful manner by imposing suitable conditions taking into consideration the ground situation and reality. The parties shall abide by the conditions imposed.

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

Sd/-

Assistant Registrar(RECORDS)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1.The Superintendent of Police,
Sivagangai District.

2.The Inspector of Police,
Ulagampatti Police Station,
Sivagangai District.

- 1 CC TO Mr.K.G.Arun Kumar , ADVOCATE IN SR No.100456.
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- VS
- DS RSK SAR3 14 12 2018 3P 4C

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14.12.2018