



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.04.2019

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE N. SESHASAYEE**W.P. (MD) No. 10893 of 2019**

S. Maheswaran

... Petitioner

Vs.

1. The Superintendent of Police,
Thanjavur District.2. The Inspector of Police,
Sethubavachathiram Police Station,
Thanjavur District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the second respondent to grant permission and protection for cultural event namely "Kramiya Nadana Natiya Nigalchi" scheduled to be held on 03.05.2019 at night in connection with "Chithirai Festival" of Arulmighu Bala Vinayagar Koil at Karaisavayal Village, Alagiyanayagapuram Post, Pattukottai Taluk, Thanjavur District by considering the petitioners representation dated 26.04.2019.

For Petitioner : Mr. P. Manikandan

For Respondents : Mrs. S. Bharathi

Government Advocate

ORDER

This writ petition has been filed to direct the second respondent to grant permission and protection for cultural event namely "Kramiya Nadana Natiya Nigalchi" scheduled to be held on 03.05.2019 at night in connection with "Chithirai Festival" of Arulmighu Bala Vinayagar Koil at Karaisavayal Village, Alagiyanayagapuram Post, Pattukottai Taluk, Thanjavur District by considering the petitioners representation dated 26.04.2019.

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

3. The learned counsel for the petitioner would submit that the Villagers have conducted cultural programme for the temple festival every year peacefully. As per the tradition and customs, this year also the Villagers have planned to conduct **Gramiya Nadana Natiya Nigalzhi** to be held on 03.05.2019 to be conducted at "Chithirai Festival". In this regard, the petitioner gave a representation to



the respondents on 26.04.2019. Since no action has been taken, the present writ petition has been filed.

4. The learned Government Advocate (Crl. Side) appearing for the respondents, on instructions, would submit that the respondents have no serious objection. He further submitted that permission may be granted subject to stringent conditions.

5. In view of the above, the second respondent police is directed to verify as to whether the troupe fixed by the petitioner is actually performing traditional folk dances including **Gramiya Nadana Natiya Nigalzhi** and if the second respondent is satisfied, then, the second respondent is required to grant permission as per the terms and conditions. He is further directed to get the names of the other participants and their addresses.

6. Considering the facts and circumstances of the case, this Court grants permission to conduct **Gramiya Nadana Natiya Nigalzhi** by disciplined Young artists with full cover dress code on 03.05.2019 and the Writ Petition is disposed of with the following directions:

*The second respondent / Inspector of Police, Sethubavachathiram Police Station, Thanjavur District, is directed to consider the representation of the petitioner, dated 26.04.2019 and to give permission and to provide police protection for conducting cultural programme namely, **Gramiya Nadana Natiya Nigalzhi** scheduled to be held on 03.05.2019, subject to the following conditions:-*

*(a) **Gramiya Nadana Natiya Nigalzhi** at the "Chithirai Festival" done in Arulmighu Bala Vinayagar Koil at Karaisavayal Village, Alagiyamayagapuram Post, Pattukottai Taluk, Thanjavur District, scheduled to be held on 03.05.2019, should be completed **before 10.00 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 as they will 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) No price shall be given in the name of any political party or in the name of any Member associated with any political party.



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

(h) 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

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

(j) The petitioner as well as the organizers shall give a letter of undertaking agreeing to strictly adhere to the above conditions.

7. It is open to the second respondent police to put any further restrictions or to impose any conditions purely in the interest of preserving public order and tranquility. There can be a total ban for putting up any Flex Board representing any community.

8. The petitioner shall give an undertaking that he will take responsibility for the peaceful conduct of **Gramiya Nadna Natiya Nigalzhi** and no law and order problem will arise. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

ta

To

1. The Superintendent of Police, Thanjavur District.

2. The Inspector of Police,

Sethubavachathiram Police Station, Thanjavur District.

1 CC to M/s.P.MANIKANDAN, Advocate (SR-63834[F] dated 29/04/2019)

W.P. (MD) No. 10893 of 2019

29.04.2019