



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.05.2019

CORAM :

THE HONOURABLE MRS.JUSTICE S.RAMATHILAGAM

W.P.(MD)No.12290 of 2019

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Ramaiah

... Petitioner

/Vs./

1.The Superintendent of Police,
Dindugul District.

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

... Respondents

Prayer: Writ Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to grant permission to perform the program of Adal Padal on 29.05.2019 night at about 07.00 PM to 12.00 AM in connection with temple Festival at Arulmigu Muthallamman Thirukkivil is situated at Mattaparai Karattur Ramarajapuram, Nilakkottai Taluk, Dindigul District and to provide adequate police protection based on the petitioner's representation dated 21.05.2019.

For Petitioner : Mr.G.Thalaimutharasu

For Respondents : Ms.M.Ananthadevi

Government Advocate (Crl. Side)

ORDER

This petition has been filed to direct the respondents to grant permission to perform the program of Adal Padal on 29.05.2019 night at about 07.00 PM to 12.00 AM in connection with temple Festival at Arulmigu Muthallamman Thirukkivil is situated at Mattaparai Karattur Ramarajapuram, Nilakkottai Taluk, Dindigul District and to provide adequate police protection based on the petitioner's representation dated 21.05.2019.

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

3. The learned counsel appearing 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 cultural programmes (Aadal Padal) on 29.05.2019. In this regard, the petitioner gave a representation to the respondents on 21.05.2019. 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. She further submitted that permission may be granted subject to stringent conditions.

5. Considering the facts and circumstances of the case, this Court grants permission to conduct cultural programs (Aadal Padal) on 29.05.2019 at 07.00 p.m. to 10.00 p.m. and the Writ Petition is disposed of with the following directions:

The second respondent / Inspector of Police, Vilampatti Police Station, Dindigul District, is directed to consider the representation of the petitioner dated 21.05.2019 and to give permission and to provide police protection to conduct the cultural programmes (Aadal Padal) in connection with temple Festival at Arulmigu Muthallamman Thirukkivil situated at Mattaparai Karattur Ramarajapuram, Nilakkottai Taluk, Dindigul District, subject to the following conditions:-

(a) Cultural Programmes (Aadal Padal) done in connection with temple Festival at Arulmigu Muthallamman Thirukkivil situated at Mattaparai Karattur Ramarajapuram, Nilakkottai Taluk, Dindigul District, scheduled to be held on 29.05.2019 should be completed between 07.00 p.m. to 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) 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 conducted beyond the permitted time limit.

<https://hcservices.ecourts.gov.in/hcservices/>
(i) The petitioner as well as the organizers shall give a letter of undertaking agreeing to strictly adhere to the above conditions.



6. 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. No costs.

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Sd/-
Assistant Registrar(V.O)

/TRUE COPY/

Sub Assistant Registrar(CS)

To

1.The Superintendent of Police, Dindugul District.

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

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

+1 CC to M/s.G.THALAIMUTHARASU, Advocate (SR-66202[F] dated
22/05/2019)

W.P. (MD) No.12290 of 2019

CS: 27/05/2019/3P/5C