



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.03.2019

CORAM :

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P.(MD)No.5465 of 2019

WEB COPY

Sevugaperumal

... Petitioner

/Vs./

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

2.The Deputy Superintendent of Police,
Melur, Madurai District.

3.The Inspector of Police,
Kottampatti Police Station,
Melur Taluk, Madurai 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 and Police protection to conduct the "Panguni Festival" with religious ceremonies like "Kuthirai Eduppu Vizha" "Kaapu Aruthal" and "Kovil Maadu Mariyathai" etc., along with Vallithirumanam Drama, Harichandra Drama and Mahamaye Drama in connection with the festival of Adaikalam Kaattha Ayyanar Swamy kovil, Chellandi Amman Kovil, Patthatharasi Amman Kovil at Pallapatti Village, Melur Taluk, Madurai District to be held on 31.03.2019 to 02.04.2019 by considering the petitioner's representation dated 02.03.2019.

For Petitioner : Mr.S.R.Anbarasu

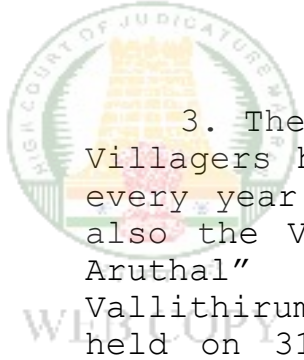
For Respondents : Mrs.S.Bharathi

Government Advocate (Crl. Side)

ORDER

This petition has been filed to direct the respondents to conduct the "Panguni Festival" with religious ceremonies like "Kuthirai Eduppu Vizha" "Kaapu Aruthal" and "Kovil Maadu Mariyathai" etc., along with Vallithirumanam Drama, Harichandra Drama and Mahamaye Drama in connection with the festival of Adaikalam Kaattha Ayyanar Swamy kovil, Chellandi Amman Kovil, Patthatharasi Amman Kovil at Pallapatti Village, Melur Taluk, Madurai District to be held on 31.03.2019 to 02.04.2019 by considering the petitioner's representation dated 02.03.2019.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondents.
<https://hcservices.ecourts.gov.in/hcservices/>



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 "Kuthirai Eduppu Vizha" "Kaapu Aruthal" and "Kovil Maadu Mariyathai" etc., along with Vallithirumanam Drama, Harichandra Drama and Mahamaye Drama to be held on 31.03.2019 to 02.04.2019 to be conducted at Shri Kaliga Parameshwari Amman Temple festival. In this regard, the petitioner gave a representation to the respondents on 02.03.2019. Since no action has been taken, the present writ petition has been filed.

4. The third respondent police is directed to verify as to whether the said troop is actually performing traditional folk dramas including **Vallithirumanam Drama, Harichandra Drama and Mahamaye Drama** and if the third respondent is satisfied, then, the third respondent is required to grant permission as per the terms and conditions.

5. With regard to **Vallithirumanam Drama, Harichandra Drama and Mahamaye Drama** by disciplined Young Artists with full cover dress code, the respondent police shall consider granting permission on the day stipulated therein with some directions.

6. 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.

7. Considering the facts and circumstances of the case, this Court grants permission to conduct **Vallithirumanam Drama, Harichandra Drama and Mahamaye Drama** by disciplined Young artists with full cover dress code on **31.03.2019 to 02.04.2019** between **08.00 p.m., and 11.00 p.m.,** and the Writ Petition is disposed of with the following directions:

*The third respondent / Inspector of Police, Kottampatti Police Station, Melur Taluk, Madurai District, is directed to consider the representation of the petitioner, dated 02.03.2019 and to give permission and to provide police protection for conducting cultural programme namely, **Vallithirumanam Drama, Harichandra Drama and Mahamaye Drama** in connection with the festival of Adaikalam Kaattha Ayyanar Swamy kovil, Chellandi Amman Kovil, Patthatharasi Amman Kovil at Pallapatti Village, Melur Taluk, Madurai District, scheduled to be held on 31.03.2019 to 02.04.2019, subject to the following conditions:-*

(a) **Vallithirumanam Drama, Harichandra Drama and Mahamaye Drama** in connection with the festival of **Adaikalam Kaattha Ayyanar Swamy Kovil, Chellandi Amman Kovil, Patthatharasi Amman Kovil at Pallapatti Village, Melur Taluk, Madurai District,** scheduled to be



held on 31.03.2019 to 02.04.2019 should be completed **before 11.00 p.m.**

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

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

(d) 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

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

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

8. It is open to the third 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.

9. The petitioner shall give an undertaking that he will take responsibility for the peaceful conduct of **Vallithirumanam Drama, Harichandra Drama and Mahamaye Drama** and no law and order problem will arise.

10. The Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub Assistant Registrar

To

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

2. The Deputy Superintendent of Police,
Melur, Madurai District.

3. The Inspector of Police,
Kottampatti Police Station,
Melur Taluk, Madurai District.

+1cc to Mr.S.R.Anbarasu, Advocate, SR.No.53041