



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.03.2019

CORAM :

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P. (MD) No.5553 of 2019

V.Paramanantham

... Petitioner

/Vs./

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

2.The Revenue Divisional Officer,
Sivakasi Revenue Division,
Sivakasi.

3.The Inspector of Police,
Alankulam Police Station, Alankulam,
Virudhunagar District.

4.S.Muthukumar

... Respondents

Prayer: Writ Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to conduct temple festival and cultural program from 08.03.2019 to 10.03.2019 and the 8th day festival on 15.03.2019 at Arulmigu Sree Kathavarayan, Sree Kambakamatchamman Kovil situated at Sankaramurthipatty, Alankulam Village, Sivakasi Taluk, Virudhunagar District by considering the representation of the petitioner dated 25.02.2019.

For Petitioner : Mr.F.X.Eugene

For Respondents : Mrs.S.Bharathi

Government Advocate (Crl. Side)

ORDER

This petition has been filed to direct the respondents to conduct the temple festival and cultural program from 08.03.2019 to 10.03.2019 and the 8th day festival on 15.03.2019 at Arulmigu Sree Kathavarayan, Sree Kambakamatchamman Kovil, situated at Sankaramurthipatty, Alankulam Village, Sivakasi Taluk, Virudhunagar District, by considering the representation of the petitioner dated 25.02.2019.

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



respondents.

3. The learned counsel for the petitioner would submit that the Villagers have conducted the cultural programme for the temple festival every year peacefully. As per the tradition and customs, this year also the Villagers have planned to conduct temple festival and cultural programme on 08.03.2019 to 10.03.2019 and the 8th day festival on 15.03.2019. In this regard, the petitioner gave a representation to the respondents on 25.02.2019. 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 the permission may be granted subject to stringent conditions.

5. Considering the facts and circumstances of the case, this Court grants permission to conduct temple festival and cultural program from 08.03.2019 to 10.03.2019 and the 8th day festival on 15.03.2019 at Arulmigu Sree Kathavarayan, Sree Kambakamatchamman Kovil situated at Sankaramurthipatty, Alankulam Village, Sivakasi Taluk, Virudhunagar District and the Writ Petition is disposed of with the following directions:

The third respondent / Inspector of Police, Alankulam Police Station, Alankulam, Virudhunagar District, is directed to consider the representation of the petitioner, dated 25.02.2019 and to give permission and to provide police protection for cultural programme in Arulmigu Sree Kathavarayan, Sree Kambakamatchamman Kovil situated at Sankaramurthipatty, Alankulam Village, Sivakasi Taluk, Virudhunagar District scheduled to be held on 08.03.2019 to 10.03.2019 and the 8th day festival on 15.03.2019, subject to the following conditions:-

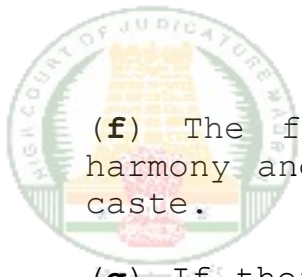
(a) Temple Festival and Cultural Program done in **Arulmigu Sree Kathavarayan, Sree Kambakamatchamman Kovil situated at Sankaramurthipatty, Alankulam Village, Sivakasi Taluk, Virudhunagar District**, scheduled to be held on **08.03.2019 to 10.03.2019** and the 8th day festival on **15.03.2019**, should be completed before **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 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.

<https://hcservices.courts.gov.in/hcservices/>
(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.

(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 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.

7. Accordingly, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

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

2.The Revenue Divisional Officer,
Sivakasi Revenue Division,
Sivakasi.

3.The Inspector of Police,
Alankulam Police Station, Alankulam,
Virudhunagar District

+1cc to Mr.F.X.Eugene, Advocate, SR.No.52710

Order made in
W.P. (MD) No.5553 of 2019
08.03.2019

SP/14.03.2019/ 3P/5C