



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE N. SESHASAYEE

W.P. [MD] No. 6413 of 2019

WEB COPY

N.Muthu

: Petitioner

Vs.

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

2. The Inspector of Police,
Paralachi Police Station,
Paralachi,
Virudhunagar District.

: Respondents

PRAYER : Petition is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, to direct the respondents to grant permission to conduct "Naatupura Paadalgal & Kiramiya Koothu" on 21.03.2019 at 08.00 p.m., and "Valli Thirumana Nadagam" on 22.03.2019 at 10.00 p.m., on the basis of petitioner's representation dated 14.03.2019.

For Petitioner : Mr. P. Kottaichamy

For Respondents : Mrs. S. Bharathi
Government Advocate

ORDER

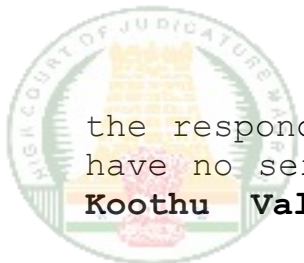
This writ petition has been filed to direct the respondents to grant permission to conduct "Naatupura Paadalgal & Kiramiya Koothu" on 21.03.2019 at 08.00 p.m., and "Valli Thirumana Nadagam" on 22.03.2019 at 10.00 p.m., on the basis of petitioner's representation dated 14.03.2019.

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 **Naatupura Paadalgal & Kiramiya Koothu** to be held on 21.03.2019 about 08.00 pm., and **Valli Thirumana Nadagam** on 22.03.2019 at 10.00 p.m.. In this regard, the petitioner gave a representation to the respondents on 14.03.2019. Since no action has been taken, the present writ petition has been filed.

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4. The learned Government Advocate (Crl. Side) appearing for



the respondents, on instructions, would submit that the respondents have no serious objection to conduct **Naatupura Paadalgal & Kiramiya Koothu Valli Thirumana Nadagam**.

5. In view of the above, the petitioner is directed to give the names of those, who are going to perform well in advance to the second respondent.

6. On receiving the said particulars, the second respondent police is directed to verify as to whether the said troupe is actually performing traditional programmes including **Naatupura Paadalgal & Kiramiya Koothu Valli Thirumana Nadagam** and if the second respondent is satisfied, then the second respondent is required to grant permission as per the terms and conditions.

7. With regard to **Naatupura Paadalgal & Kiramiya Koothu** by disciplined Artists with full cover dress code, the respondent police shall consider granting permission on the day stipulated therein with some directions.

8. The learned Government Advocate appearing for the respondents, on instructions, would submit permission may be granted subject to stringent conditions.

9. Considering the facts and circumstances of the case, this Court grants permission to conduct **Naatupura Paadalgal & Kiramiya Koothu** by disciplined Young artists with full cover dress code on 21.03.2019 and **Valli Thirumana Nadagam** on 22.03.2019 the Writ Petition is disposed of with the following directions:

*The second respondent / Inspector of Police, Paralachi Police Station, Paralalchi, Virudhunagar District, is directed to consider the representation of the petitioner, dated 14.03.2019 and to give permission and to provide police protection for conducting **Naatupura Paadalgal & Kiramiya Koothu** scheduled to be held on 21.03.2019 and **Valli Thirumana Nadagam** on 22.03.2019, subject to the following conditions:-*

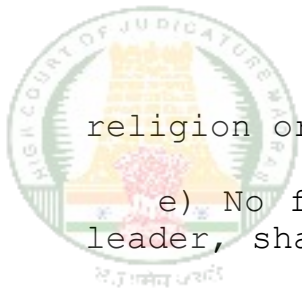
a) **Naatupura Paadalgal & Kiramiya Koothu Valli Thirumana Nadagam** at the Pankuni pongal done in Sri Vadakkuselvi Amman, Ayyanar and Adhivenkatesha Perumal Temple at K.Nedungulam, Aruppukottai Taluk, Virudhunagar District, scheduled to be held on 21.03.2019, should be completed **before 11.00 p.m.**

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.

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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) No donation shall be received from any political party or in the name of any Member associated with any political party.

h) No speeches supporting or opposing any political party shall be made. No symbol of any political party or picture of any person affiliated in the political party shall be used.

i) The festival should be conducted in the spirit of festival and there will not be any bogey for political combine for the general election, 2019.

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

k) 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

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

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

10. 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.

11. The petitioner shall given an undertaking that he will take responsibility for the peaceful conduct of **Naatupura Paadalgal & Kiramiya Koothu and Valli Thirumana Nadagam** and no law and order problem will arise. No costs.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar



To

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

2.The Inspector of Police,
Paralachi Police Station,
Paralachi,
Virudhunagar District.

+1cc to M/s.P.Kottaichamy, Advocate, SR.No.55072

W.P. (MD) No.6413 of 2019
19.03.2019

SP/20.03.2019/ 4P/4C