



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2019

CORAM

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P. (MD) No.9944 of 2019

Manickam

... Petitioner

Vs.

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

2.The Inspector of Police,
Thottiyam Police Station,
Thottiyam,
Trichy District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the respondents to give permission and adequate police protection for peaceful performance of Arulmigu Mahamariyamman Temple festival scheduled to be conducted from 01.05.2019 to 10.05.2019 and Siruthondar Drama scheduled to be conducted on 05.05.2019 and 06.05.2019 in front of the Mahamariamman Temple, Ammankudi village, Thottiyam Taluk, Trichy District and consider the petitioner's representation dated 13.04.2019.

For Petitioner : Mr.P.Mani Anandh

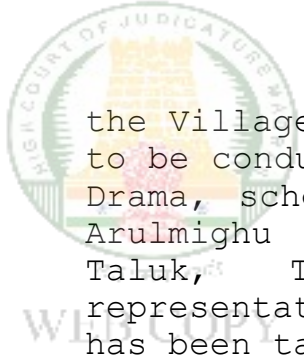
For Respondents : Mrs.S.Bharathi (Criminal Side)
Government Advocate

ORDER

This writ petition has been filed to grant permission and protection for conducting 'Temple festival' in Arulmigu Mahamariyamman Temple scheduled to be conducted from 01.05.2019 to 10.05.2019 and Siruthondar Drama scheduled to be conducted on 05.05.2019 and 06.05.2019 in front of the Mahamariamman Temple, Ammankudi village, Thottiyam Taluk, Trichy District by way of considering the petitioner's representation dated 13.04.2019.

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

<https://hcservices.courts.gov.in/hcservices/>
The learned counsel appearing for the petitioner would submit that the villagers have conducted the temple festival every year peacefully. As per the tradition and customs, this year also



the Villagers have planned to conduct the temple festival, scheduled to be conducted from 01.05.2019 to 10.05.2019 along with Siruthondar Drama, scheduled to be conducted on 05.05.2019 and 06.05.2019, in Arulmighu Mahamariamman Temple, Ammankudi village, Thottiyam Taluk, Trichy District. In this regard, the petitioner gave representation to the respondents on 13.04.2019. 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. 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 the temple festival, scheduled to be conducted from 01.05.2019 to 10.05.2019 along with Siruthondar Drama, scheduled to be conducted on 05.05.2019 and 06.05.2019, in front of the Mahamariamman Temple, Ammankudi village, Thottiyam Taluk, Trichy District and the Writ Petition is disposed of with the following directions:

*The **second respondent / Inspector of Police, Thottiyam Police Station, Trichy District**, is directed to consider the representation of the petitioner, dated 13.04.2019 and to give permission and to provide police protection for the temple festival, scheduled to be conducted from 01.05.2019 to 10.05.2019 along with Siruthondar Drama, scheduled to be conducted on 05.05.2019 and 06.05.2019, in front of the Mahamariamman Temple, Ammankudi village, Thottiyam Taluk, Trichy District, **before 12.00 p.m., in Mahamariamman Temple, Ammankudi village, Thottiyam Taluk, Trichy District, subject to the following conditions:-***

(a) programme I.e., **temple festival** (scheduled to be held on **01.05.2019 to 10.05.2019**) and **Siruthondar drama** (scheduled to be conducted on **05.05.2019 and 06.05.2019**), done in Sri Mahamariamman Temple, Ammankudi village, Thottiyam Taluk, Trichy District,, 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.

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

(f) No donation shall be received from 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

(i) Similarly, the police is directed to stop the 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.

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.

Sd/-

Assistant Registrar (AD II)

// True Copy //

Sub Assistant Registrar (CS)



To

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

2. The Inspector of Police,
Thottiyam Police Station,
Thottiyam,
Trichy District.

1CC TO MR. P. MANI ANATH, ADVOCATE SR 62664

KK

27/04/2019

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W.P. (MD) No. 9944 of 2019