

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **15.09.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE SATHI KUMAR SUKUMARA KURUP**

W.P.(MD)No.21873 of 2022

Ayothiraja

... Petitioner

/vs./

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

2.The Deputy Superintendent of Police,
Pudukkottai District,
Pudukkottai.

3.The Inspector of Police,
Ponnamaravathi Police Station,
Pudukkottai District,
Pudukkottai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 3rd respondent to grant appropriate permission and adequate police protection to conduct the Cultural Programme (i.e., Aadal Paadal) scheduled to be held on 17.09.2022 at 08.00 to 11.00 PM in

connection with Vinayagar Chadurthi festival at Melaisivapuri Village based on the petitioner's representation dated 13.09.2022 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.Pala.Ramasamy

For Respondents : Mr.R.Sivaraman

Government Advocate (Crl.side)

ORDER

The Petitioner has filed the above Writ Petition to issue a Writ of Mandamus, directing the Respondents to give permission to conduct a cultural program (Adal Padal) scheduled to be held on 17.09.2022 in connection with Vinayagar Chadurthi festival at Melaisivapuri Village.

2.Heard the learned Counsel for the Petitioner and the learned Government Advocate (Crl.side) appearing for the Respondents, who takes notice for the Respondents. By consent, the Writ Petition itself is taken up for final disposal.

3.The learned Counsel appearing for the Petitioner would submit that the Petitioner is a Member of Vizha Committee. He had given the representation to the Respondents herein. However, no order has been passed. Therefore, he filed

this Writ Petition seeking permission and also for police protection for conducting the cultural programs. He would further submit that as the aforesaid festival is celebrated in a peaceful manner by the villagers, there will be no untoward incident on account of this celebration.

4.The learned Government Advocate (Crl.side) appearing for the Respondents, on instructions, would submit that the permission sought for by the Petitioner may be granted with appropriate and stringent conditions for maintaining law and order and also to avoid any untoward incident during performance of such programme. He would further submit that no case is pending against the Petitioner.

5.In view of the submission made by the learned Government Advocate (Crl.side), the Writ Petition is disposed of, with a direction to the Respondent concerned to accord permission and Police Protection to conduct the Cultural Programme in connection with the above said festival of the said Temple for above said date, between 7.00 p.m., and 10.00 p.m., by incorporating the following conditions:

- a) Obscene dance/songs/vulgar dialogues should be avoided during the programme and the performers must be decently clothed;
- b) Songs conveying obscene double meaning should not be played in order to avoid awkwardness;
- c) No dance or song, touching upon the conduct of any political party or community or caste be played;
- d) No flex boards in support of any political party or religious leader or caste leaders be erected;
- e) The programme shall be conducted without showing any discrimination based on caste/community etc., and it shall be ensured that it is towards promoting communal harmony;
- f) The Participants of the programme shall not intake any kind of intoxicating substance or liquor during the programme;
- g) In respect of untoward incident occurring, the organizers of the programme be responsible for the same;
- h) The Organizers shall have the names and other particulars of performers;
- i) If there is any violation of any of the conditions imposed, the S.H.O. Of

the Police Station concerned is at liberty to take necessary action, as per law and stop such performance.

No costs.

15.09.2022

Index : Yes / No
Internet : Yes / No
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Note: **Issue Order Copy on 15.09.2022.**

TO:

- 1.The Superintendent of Police,
Pudukkottai District,
Pudukkottai.
- 2.The Deputy Superintendent of Police,
Pudukkottai District,
Pudukkottai.
- 3.The Inspector of Police,
Ponnamaravathi Police Station,
Pudukkottai District,
Pudukkottai.

WP(MD)No21873 of 2022

SATHI KUMAR SUKUMARA KURUP, J.

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Order made in
W.P.(MD)No.21873 of 2022

Dated:
15.09.2022