



W.P(MD)No.27327 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.12.2022

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P(MD)No.27327 of 2022

J.Premkumar

: Petitioner

Vs

**1. The Deputy Superintendent Of Police,
Uthamapalayam Circle,
Theni District**

**2. The Inspector of Police,
Uthamapalayam Police Station,
Uthamapalayam,
Theni District**

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd Respondent and requested him to grant permission for conducting Karthigai Pongal Thiruvizha festival followed by cultural programs including the dance program (Adal Padal) schedule to be at 06.00 P.M., on 09.12.2022 at Arulmigu Sri Manduga Karuppanasamy Thirukovil at Suriyanarayanapuram, Uthamapalaiyam, Theni District.

For Petitioner : Mr.K.Srinivasaragavan

**For Respondents : Mr.R.Suresh Kumar
Government Advocate (Crl.side)**



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ORDER

The Petitioner had filed the above Writ Petition to issue a Writ of Mandamus, directing the 2nd Respondent and requested him to grant permission for conducting Karthigai Pongal Thiruvizha festival followed by cultural programs including the dance program (Adal Padal) schedule to be at 06.00 P.M., on 09.12.2022 at Arulmigu Sri Manduga Karuppanasamy Thirukovil at Suriyanarayanapuram, Uthamapalaiyam, Theni District.

2.The learned Government Advocate (Crl.side) takes notice for the official Respondents. By consent, the Writ Petition itself is taken up for final disposal.

3.Heard the learned Counsel for the Petitioner and the learned Government Advocate (Crl.side) appearing for the Respondents.

4.The learned Government Advocate (Crl.side) stating that there is no previous case pending against the Petitioner, hence no objection.



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5.The learned Counsel appearing for the Petitioner would 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.

6.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 also submit that no previous case is pending against the Petitioner.

7.In view of the submission made by the learned Government Advocate (Crl.side), the Writ Petition is disposed of, with a direction to the Respondents concerned to accord permission and Police Protection to conduct the temple festival and Cultural Programme in connection with the above said festival of the said Temple on 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;



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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 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; and



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i) If there is any violation of any of the conditions imposed, the Station House Officer of the Police Station concerned is at liberty to take necessary action, as per law and stop such performance.

j)The said programme should be conducted by following the circular issued by the Director General of Police, Tamil Nadu. No costs.

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Index : Yes/No
Internet : Yes/No
lr

Note: Issue Order copy on 02.12.2022

To

1. The Deputy Superintendent Of Police,
Uthamapalayam Circle,
Theni District

2. The Inspector of Police,
Uthamapalayam Police Station,
Uthamapalayam,
Theni District

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

lr

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