

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.05.2015

CORAM :

THE HONOURABLE MR.JUSTICE V.DHANAPALAN

W.P.No.15311 of 2015

T.Dhanapal

... Petitioner

Vs

The Sub Inspector of Police  
Varanjaram Police Station,  
Villupuram District.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondent authority to give permission to conduct the dance programme at Udayar Street, Eayanur Post, Kallukuritchi Taluk, Villupuram District 606 204, festival of Eayanur Udayar Mariamman Koil Thiruvila on 05.06.2015 representation dated 25.05.2015.

For Petitioner :: Mr.P.Murugaian

For Respondent :: Mr.R.Vijayakumar  
Additional Government Pleader

O R D E R

This writ petition has been filed for issuance of a Writ of Mandamus directing the respondent authority to give permission to conduct the dance programme at Udayar Street, Eayanur Post, Kallukuritchi Taluk, Villupuram District, in connection with Eayanur Udayar Mariamman Koil Thiruvila on 05.06.2015, based on petitioner's representation dated 25.05.2015.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondent.

3.Learned counsel for the petitioner would submit that he is the Dharmakartha of Eayanur Udayar Mariamman Koil and is looking after the said Temple and Temple Festival is being conducted by the villagers for the past 5 years and this year also, the villagers have jointly decided to conduct the Eayanur Udayar Mariamman Temple Festival, and a cultural dance programme has been decided to be conducted on 05.06.2015. In this connection, a representation was given on 25.05.2015 to the respondent, with a request to grant

permission to conduct the cultural dance programme on 05.06.2015. However, the respondent has not given permission to conduct the dance programme. The learned counsel for the petitioner further submitted that as the temple festival is celebrated in a peaceful manner by the villagers, there will be no untoward incident by the people of the village. Hence, this writ petition is filed seeking the aforesaid relief.

4. Mr.R.Vijayakumar, learned Additional Government Pleader appearing for the respondent, on instructions, would submit that the permission sought for by the petitioner may be granted with stringent conditions for maintaining law and order and also to avoid any untoward incident during performance of such programme.

5. Having considered the facts and circumstances and the submissions made by the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondent, this Court is of the view that necessary permission shall be granted to the petitioner and his villagers to conduct 'cultural dance programme' in connection with Eayanur Udayar Mariamman Temple Festival, at Udayar Street, Eayanur Post, Kallukuritchi Taluk, Villupuram District, on 05.06.2015 between 6.00 p.m. and 10.30 p.m., however, with the following conditions:-

(a) The cultural programme in connection with Eayanur Udayar Mariamman Temple Festival, at Udayar Street, Eayanur Post, Kallukuritchi Taluk, Villupuram District, be held on 05.06.2015 between 6.00 p.m. and 10.30 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 so as to spoil the minds of students and youths.

(d) No dance or songs, touching upon any political party or religion or community or caste be played.

(e) No flex boards in support of any political party or communal leader be erected.

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

(g) If there is any 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; and

(h) Similarly, the police is entitled to stop the dance programme, if it exceeds beyond the permitted time.

(i) The respondent is directed to issue necessary permission, incorporating the above conditions.

Accordingly, the writ petition is disposed of. No order as to costs.

Sd/-  
Deputy Registrar

True Copy

To Sub Assistant Registrar

The Sub Inspector of Police  
Varanjaram Police Station,  
Villupuram District.

+1 cc to Mr.P.Murugaian, Advocate,SR.25537.

cnr (co)  
krd 2/6

W.P.No.15311 of 2015



WEB COPY