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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.08.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD)No.14472 of 2016

R.Kaleeswaran ... Petitioner

-vs-

1.The Superintendent of Police
Sivagangai District, Sivagangai

2.The Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the respondents to grant permission and protection for Adal Padal program perform in Thiruvizha scheduled to be held on 14.08.2016 at Arulmigu Sri Muthumariamann Thirukovil at South Street Kalaiyarkovil Sivagangai Dist.

For Petitioner : M/s.R.Muthamil Rajan
For Respondent : Mr.D.Muruganandham
Addl. Govt. Pleader

ORDER

The writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents to grant permission and protection for Adal Padal program perform in Thiruvizha scheduled to be held on 14.08.2016 at Arulmigu Sri Muthumariamann Thirukovil at South Street Kalaiyarkovil Sivagangai Dist.

2.Mr.D.Muruganandham, learned Additional Government Pleader, takes notice for the respondents. By consent, the writ petition itself is taken up for final disposal.

3.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

4.The learned counsel appearing for the petitioner would submit that the programme is being conducted by the villagers regularly in order to promote harmony during the above said

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festival period; that a representation was given to the 2nd respondent, but, however, the same was not considered by the 2nd respondent so far and hence, the petitioner is before this Court with this writ petition. The learned counsel appearing for the petitioner 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.

5.The learned Additional Government Pleader 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.

6.Accordingly, in view of the submission made by the learned Additional Government Pleader, the Writ Petition is disposed of with the direction to 2nd respondent police to accord permission to the petitioner to conduct the ***Adal Padal programme*** in Thiruvizha at Arulmigu Sri Muthumariamann Thirukovil at South Street Kalaiyarkovil Sivagangai Dist scheduled on 14.08.2016 between 07.00 p.m., and 10.30 p.m., by incorporating the following conditions:

(a) Obscene dance / songs / vulgar dialogues should be avoided during the programme;

(b) Songs conveying obscene double meaning should not be played in order to avoid awkwardness;

(c) No dance or songs, 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) If there is any violation of any of the conditions imposed, the concerned Police Officer is at liberty to take necessary action, as per law and stop such performance. No costs.

Sd/-
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

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To

1.The Superintendent of Police
Sivagangai District, Sivagangai

2.The Inspector of Police,
Kalaiyarkovil Police Station,
Sivagangai District.

+1cc to Mr.R.MUTHAMIL RAJAN,Advocate Sr.No.43212
+1cc to Spl.Government Pleader Sr.No. 43262
RR
AA/DB/SAR-I/11.08.2016/3p-5c

ORDER MADE IN
W.P(MD)No.14472 of 2016
10.08.2016

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