



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.08.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD)No.16031 of 2016

P.Sivalingam Nadar

...Petitioner

-vs-

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Palayamkottai,
Tirunelveli District.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Valliyoar,
Tirunelveli District.
- 3.The Inspector of Police,
Palaur Police Station,
Tirunelveli 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 to the petitioner to conduct the Adal & Padal function scheduled on 30.08.2016 at about 8.00 p.m. to 11 p.m. in Sriman Narayan Swamy Thiru Kovil Festival at Mathaganari Village, Rathapuram Taluk, Tirunelveli District.

For Petitioner : Mr.V.Balasubramanian
For Respondents : Mr.D.Muruganandham
Addl. Govt. Pleader

O R D E R

The writ petition has been filed for issuance of a Writ of Mandamus, directing the Respondents to grant permission to the petitioner to conduct the Adal & Padal function scheduled on 30.08.2016 at about 8.00 p.m. to 11 p.m. in Sriman Narayan Swamy Thiru Kovil Festival at Mathaganari Village, Rathapuram Taluk, Tirunelveli District.

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

<https://hcservices.ecourts.gov.in/hcservices/>

3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader 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 festival period; that a representation was given to the 3rd respondent, but, however, the same was not considered by the 3rd 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 Government Advocate 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 tournament.

6. Accordingly, in view of the submission made by the learned Additional Government Pleader, the Writ Petition is disposed of with the direction to the 3rd respondent police to accord permission to the petitioner to conduct the Aadal Padal in connection with the Festival of Sriman Narayan Swamy Thiru Kovil Festival at Mathaganari Village, Rathapuram Taluk, Tirunelveli District, scheduled on 30.08.2016 between 08.00 p.m., and 11.00 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(T&P)

/True Copy/



To

1.The Superintendent of Police,
Office of the Superintendent of Police,
Palayamkottai,
Tirunelveli District.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Valliyoore,
Tirunelveli District.

3.The Inspector of Police,
Palaur Police Station,
Tirunelveli District.

+1CC to M/S.V.Balasubramanian, Advocate, SR.No. 47340

+1CC to the Special Government Pleader, SR.No. 47463

ORDER MADE IN
W.P (MD) No.16031 of 2016

sj

AM/SK.SKN/SAR-I/26.08.2016/3P/6C (IT)