



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 25.05.2016
CORAM

THE HON'BLE MR. JUSTICE S.S.SUNDAR

W.P.(MD) No.9520 of 2016

WEB COPY

S.Manmadharaja

... Petitioner

-vs-

1.The Commissioner of Police,
Madurai City, Madurai.

2.The Inspector of Police,
Koodalpudur Police Station,
Madurai.

.. Respondents

Prayer: Writ Petition 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 Programme in "Urchava Vizha Alaipithal" scheduled to be held on 29.05.2016 at Arulmigu Sri Maakamadaiyan, Arulmigu Sri Muniyandiswamy Thirukovil at Kamatchi Nagar, Vilangudi, Madurai North, Madurai, by considering the petitioner's representation, dated 17.05.2016.

For Petitioner : Mr.R.Karthic Rajan

For Respondents : Mr.D.Muruganandam,
Government Advocate

O R D E R

The petitioner has come forward with this Writ Petition for issuance of a Mandamus seeking a direction to the respondents to grant permission and protection for Adal Padal Programme in "Urchava Vizha Alaipithal" scheduled to be held on 29.05.2016 at Arulmigu Sri Maakamadaiyan, Arulmigu Sri Muniyandiswamy Thirukovil at Kamatchi Nagar, Vilangudi, Madurai North, Madurai, by considering the petitioner's representation, dated 17.05.2016.

2.The learned counsel for the petitioner would submit that the villagers jointly decided to conduct Adal Padal on 29.05.2016 in connection with a festival of Arulmigu Sri Maakamadaiyan, Arulmigu Sri Muniyandiswamy Thirukovil at Kamatchi Nagar, Vilangudi, Madurai North, Madurai. He would further submit that in this connection, a representation was given to the respondent police on 17.05.2016, with a request to grant permission and protection to conduct the programme on the above said date. However, the respondent Police has not yet considered the said representation and hence, the petitioner is before this Court with this Writ Petition.

3.The learned Additional Government Pleader appearing for the respondent would submit that this Court may grant permission for Aadal Padal with stringent conditions.



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

5. Considering the limited scope of prayer sought for in this petition, the Writ Petition is disposed of with the following directions:

(a) the cultural dance programme in connection with the festival of Arulmigu Sri Maakamadaiyan, Arulmigu Sri Muniyandiswamy Thirukovil at Kamatchi Nagar, Vilangudi, Madurai North, Madurai be held on 29.05.2016 before 10.30 p.m.

(b) there should not be any kind of obscene dance or vulgar dialogues during the performance, by any one of the participants;

(c) double meaning songs should not be played so as to spoil the minds of students and the youth;

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

(e) no flex boards in support of any political party or religious 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;

(h) similarly, the Police is empowered to stop the dance programme, if it exceeds beyond the permitted time;

(i) the participants of the programme shall not intake any kind of intoxicic substance or liquor during the programme; and

(j) if any untoward incident takes place, the organizers of the programme be made responsible for the same.

6. The respondent concerned is directed to issue necessary permission, incorporating the above conditions and ensure the observance of the conditions to maintain public order and tranquillity. It is open to the respondent to take appropriate action in the event of non-observance of the conditions stipulated.

No costs.

Sd/
Vacation Officer

/TRUE COPY/

Sub Assistant Registrar

To:

1. The Commissioner of Police, Madurai City, Madurai.
 2. The Inspector of Police, Koodalpudur Police Station, Madurai.
 3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1cc to M/S.R.Karthic Rajan, Advocate in SR.No.26858
+1cc to Special Government Pleader in SR.No.26996

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