



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.07.2017

CORAM

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

W.P.(MD) No. 12335 of 2017

A.Muruganandam

... Petitioner

-vs-

The Sub-Inspector of Police,
Puthiyamputhur Police Station,
Thoothukudi District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to consider the Petitioner's representation dated 28.6.2017 and permit them to conduct dance programme on 7.7.2017 at about 8.00 p.m. to 12.00 p.m. at Sri Sudalai Temple's Ground, Ottapidaram Taluk, Tuticorin District.

For Petitioner : Mr.V.Maharajan

For Respondent : Mr.T.S.Mohammed Mohideen
Additional Government Pleader

O R D E R

The petitioner has come forward with this Writ Petition for issuance of a Mandamus seeking a direction to respondent to consider the Petitioner's representation, dated 28.6.2017 and permit them to conduct dance programme on 7.7.2017 at about 8.00 p.m. to 12.00 p.m. at Sri Sudalai Temple's Ground, Ottapidaram Taluk, Tuticorin District.

2. The learned counsel for the petitioner would submit that the villagers jointly decided to conduct Adal Padal programme on 07.07.2017 in connection with a festival of " Sri Sudalai Temple's Ground, Ottapidaram Taluk, Tuticorin District". He would further submit that in this connection, a representation was given to the second respondent on 28.6.2017, 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



3. The learned Additional Government Pleader appearing for the respondent would submit that this Court may grant permission for Adal Padal programme 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 Adal Padal programme in connection with the festival of "Sri Sudalai Temple's Ground, Ottapidaram Taluk, Tuticorin District" scheduled to be held on 07.07.2017 should be completed 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 in-toxic 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.

7.No costs.

Sd/-
Assistant Registrar(T&P)

/True copy/

Sub Assistant Registrar

To

1. The Sub-Inspector of Police,
Puthiyamputhur Police Station,
Thoothukudi District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 cc to Mr.V.Maharajan , Advocate in SR.No. 63346
+1 cc to Special Government Pleader in SR.No.63480

vsn
AE/MR KKR/SAR2/06.07.2017/3P/5C

W.P. (MD) No. 12335 of 2017
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