

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 06.07.2017****CORAM:**

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR**W.P. (MD) No.12531 of 2017**

S.Karuthaiyamperumal

... Petitioner

Vs.

The Inspector of Police,
Kulathur Police Station,
Vilathikulam Taluk,
Thoothukudi District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondent to grant permission and necessary protection to perform the cultural programme (ie.,) "Adal Padal" on 12.07.2017 in the eve of the "Arulmighu Sri Pathirakaliamman Kovil" at Kulathur, Vilathikulam Taluk, Thoothukudi District, by considering the petitioner's representation, dated 04.07.2017.

For Petitioner : Mr.V.Nirmal Kumar

For Respondent : Mr.A.Muthukaruppan,
Additional Government Pleader.

O R D E R

The petitioner has come forward with this Writ Petition for issuance of a Writ of Mandamus seeking a direction to the respondent to grant permission and necessary protection to perform the cultural programme (ie.,) "Adal Padal" on 12.07.2017 in the eve of the "Arulmighu Sri Pathirakaliamman Kovil" at Kulathur, Vilathikulam Taluk, Thoothukudi District, by considering the petitioner's representation, dated 04.07.2017.

2. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Adal Padal" programme on 12.07.2017 in connection with a festival of "Arulmighu Sri Pathirakaliamman Kovil" at Kulathur, Vilathikulam Taluk, Thoothukudi District. He further submitted that in this connection, a representation was given to the respondent on 04.07.2017, 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 this Writ Petition.

3. The learned Additional Government Pleader appearing for the respondent submitted that this Court may grant permission for "Adal Padal" programme with stringent conditions. He further submitted that there is no adverse remarks against the petitioner in conducting the "Adal Padal" programme, on 12.07.2017.

4. Considering the facts and circumstances of the case, the Writ petition is disposed of with a direction to the respondent/Inspector of Police, Kulathur Police Station, Vilathikulam Taluk, Thoothukudi District, to consider the representation of the petitioner, dated 04.07.2017 and to give permission and to provide police protection for "Adal Padal" programme in connection with the festival of "Arulmighu Sri Pathirakaliamman Kovil" at Kulathur, Vilathikulam Taluk, Thoothukudi District scheduled to be held on 12.07.2017, subject to the following conditions and any other reasonable restrictions that may be imposed by the respondent in the interest of public and to preserve the law and order:

(a) the "Adal Padal" programme in connection with the festival at "Arulmighu Sri Pathirakaliamman Kovil" at Kulathur, Vilathikulam Taluk, Thoothukudi District, scheduled to be held on 12.07.2017 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.

No costs.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

The Inspector of Police,
Kulathur Police Station,
Vilathikulam Taluk,
Thoothukudi District.

+1cc to Mr.V.Nirmal Kumar, Advocate Sr.No.63780
+1cc to The Spl.Government Pleader SR.No.63961

PMU

VB/SKN-RSK/SAR1/07.07.2017/3P/4C

W.P. (MD) No.12531 of 2017

06.07.2017