



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.07.2017

CORAM

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

W.P.(MD) No.12568 of 2017

WEB COPY

V.Sundaram

... Petitioner

-vs-

1.The Superintendent of Police,
Theni District. Theni.

2.The Sub-Inspector of Police,
Kadamalaikundu Police Station,
Theni District.

... 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 Program perform in "Aadi Amavasai Thiruvizha" scheduled to be held on 22.07.2017 at Arulmigu Sri Maaligaiparai Karuppasamy Thirukovil at Upputhurai, Muthalamparai Union, Kadamalaikundu, Andipatti Taluk, Theni District by considering the petitioner's representation dated 04.07.2017.

For Petitioner : Mr.R.Karthic Rajan

For Respondents : Mr.A.Muthukaruppan

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 the respondents to grant permission and protection for Aadalum Padalum program in connection with the festival in Arulmigu Sri Maaligaiparai Karuppasamy Thirukovil at Upputhurai, Muthalamparai Union, Kadamalaikundu, Andipatti Taluk, Theni District scheduled to be held on 22.07.2017, based on the petitioner's representation, dated 04.07.2017.

2. The learned counsel for the petitioner would submit that the villagers jointly decided to conduct Aadal Padal programme on 22.07.2017 in connection with a festival of Arulmigu Sri Maaligaiparai Karuppasamy Thirukovil at Upputhurai, Muthalamparai Union, Kadamalaikundu, Andipatti Taluk, Theni District. He would further submit 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 produced the communication received from the Special Sub-Inspector of Police, Kadamalaikundu Police Station, Theni District. In the said communication, the representation of the petitioner is admitted. The Special Sub-Inspector of Police has expressed his objection that there is law and order problem. The learned Additional Government Pleader would further 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. Under such circumstances, the Writ Petition is disposed of and the above said Communication is recorded. The respondent, the Sub-Inspector of Police, Kadamalaikundu Police Station, Theni District, is directed to consider the representation of the petitioner, dated 04.07.2017 and accord permission and to provide police protection to the petitioner, for conducting the Adal Padal programme at the festival of Arulmigu Sri Maaligaiparai Karuppasamy Thirukovil at Upputhurai, Muthalamparai Union, Kadamalaikundu, Andipatti Taluk, Theni District, scheduled to be held on 22.07.2017 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 Arulmigu Sri Maaligaiparai Karuppasamy Thirukovil at Upputhurai, Muthalamparai Union, Kadamalaikundu, Andipatti Taluk, Theni District, scheduled to be held on 22.07.2017 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 intoxic 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

/True Copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Theni District. Theni.

2.The Sub-Inspector of Police,
Kadamalaikundu Police Station,
Theni District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.R.Karthic Rajan, Advocate SR.No. 64085

+1cc to Special Government Pleader, SR.No. 64254

W.P.(MD) No.12568 of 2017

07.07.2017

das/pj1

JM/SKN RSK/SAR 1/17.07.2017/3P/6C