



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.12585 of 2017

WEB COPY

Radha

... Petitioner

-vs-

1.The Superintendent of Police,
Virudhunagar District.

2.The Inspector of Police,
Krishnapuram Police Station,
Virudhunagar District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to grant permission and protection for cultural event namely Adalpadal scheduled to be held on 15.07.2017 at night in connection with "Aani Festival" in Arulmigu Sri Sundhara Natchiamman Thirukovil, at Nackaneri Village, Rajapalayam Taluk, Virudhunagar District, by considering the petitioner's representation, dated 21.06.2017.

For Petitioner : No appearance

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 Sundhara Natchiamman Thirukovil, at Nackaneri Village, Rajapalayam Taluk, Virudhunagar District, scheduled to be held on 15.07.2017, based on the petitioner's representation, dated 21.06.2017.

2. The learned counsel for the petitioner would submit that the villagers jointly decided to conduct Aadal Padal programme on 15.07.2017 in connection with a festival of Arulmigu Sri Sundhara Natchiamman Thirukovil, at Nackaneri Village, Rajapalayam Taluk, Virudhunagar District. He would further submit that in this connection, a representation was given to the respondent on 21.06.2017 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, Seithur Police Station, Seithur, Rajapalayam Sub-Division, Virudhunagar District in which it has been stated that the programme will attract large number of the neighbouring villagers belonging to different community and there is likelihood of law and order



problem, since the organisers using mike set causing noise pollution and are fixing flex boards on community basis. He 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. There was no adverse remarks or antecedents reported though it is admitted that similar programme was conducted in past. Taking into consideration the fact that the villagers on a whole have decided to celebrate the temple festival, the Writ Petition is **disposed of** and the above said Communication is recorded. The second respondent, the Inspector of Police, Krishnapuram Police Station, Virudhunagar District, is directed to consider the representation of the petitioner, dated 21.06.2017 and accord permission and to provide police protection to the petitioner, for conducting the Adal Padal programme at the Aani festival of Arulmigu Sri Sundhara Natchiamman Thirukovil, at Nackaneri Village, Rajapalayam Taluk, Virudhunagar District, scheduled to be held on 15.07.2017 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 Aani festival at Arulmigu Sri Sundhara Natchiamman Thirukovil, at Nackaneri Village, Rajapalayam Taluk, Virudhunagar District, scheduled to be held on 15.07.2017 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;

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

(d) no flex boards in support of any political party or religious leader be erected;

(e) the function should not affect either religious or communal harmony and shall be conducted without any discrimination based on caste;

(f) 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;

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

(h) the participants of the programme shall not intake any kind of intoxic substance or liquor during the programme;

and

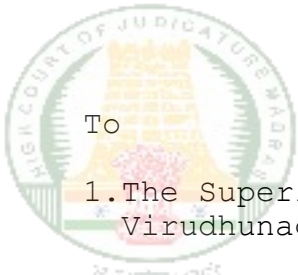
(i) if any untoward incident takes place, the organizers of the programme be made responsible for the same.

No costs.

Sd/-

Assistant Registrar

/True Copy/



To

1.The Superintendent of Police,
Virudhunagar District.

2.The Inspector of Police,
Krishnapuram Police Station,
Virudhunagar District.

+1cc THE SPECIAL GOVERNMENT PLEADER in SR. No.64258

+1cc to Mr.V.RAMALINGAN Advocate in SR. No.64130

DAS/PJL

JS/JC/SAR.1/13.07.2017/3P-5C

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