



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. 12637 of 2017

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T.Senthilkumar @ Kullappan

... Petitioner

-Vs-

1.The Superintendent of Police,
Pudukkottai.

2.The Inspector of Police,
Illuppur Police Station,
Pudukkottai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to give police protection to conduct cultural programme (Music and Dance) on 11.07.2017 during the temple festival of "Arulmigu Sri Muthumari Amman" temple, situated at Thirunallur Village, Mullaiyur Post, Viralimalai-via, Pudukkottai District, by considering the representation of the petitioner, dated 03.07.2017.

For Petitioner : Mr.S.Sekar

For Respondents : Mr.A.Muthukaruppan,
Additional Government Advocate.

O R D E R

This Writ petition is filed for issuance of a Writ of Mandamus seeking a direction to the respondents to give police protection to conduct cultural programme (Music and Dance) on 11.07.2017 during the temple festival of "Arulmigu Sri Muthumari Amman" temple, situated at Thirunallur Village, Mullaiyur Post, Viralimalai-via, Pudukkottai District, by considering the representation of the petitioner, dated 03.07.2017.

2. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct cultural programme (Music and Dance) on 11.07.2017 in connection with a festival in "Arulmigu Sri Muthumari Amman" temple, situated at Thirunallur Village, Mullaiyur Post, Viralimalai-via, Pudukkottai District. He further submitted that in this connection, a representation was given to



the second respondent on 03.07.2017, 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.

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

4. The learned Additional Government Pleader appearing for the respondents has produced before this Court, a communication, dated 07.07.2017, from the second respondent, wherein, the second respondent has no objection for conducting "Aadal Padal" programme, as scheduled to be held on 11.07.2017.

5. Recording the same, this Court is inclined to issue the following direction:-

The second respondent/Inspector of Police, Illuppur Police Station, Pudukottai District, is directed to consider the representation of the petitioner, dated 03.07.2017 and to give permission and to provide police protection for cultural programme (Music and Dance) in connection with the festival in "Arulmigu Sri Muthumari Amman" temple, situated at Thirunallur Village, Mullaiyur Post, Viralimalai-via, Pudukkottai District, scheduled to be held on 11.07.2017, subject to the following conditions;

(a) the cultural programme (Music and Dance) in connection with the festival in "Arulmigu Sri Muthumari Amman" temple, situated at Thirunallur Village, Mullaiyur Post, Viralimalai-via, Pudukkottai District, scheduled to be held on 11.07.2017 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;

<https://hcservices.ecourts.gov.in/hcservices/>

(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 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. It is open to respondent police to put any further restrictions or to impose any conditions purely in the interest of preserving public order and tranquillity. There can be a total ban for putting of any Flex Boards representing any community.

7. With the above direction, the Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-III)

/True copy/

Sub Assistant Registrar

To

1.The Superintendent of Police, Pudukkottai.

2.The Inspector of Police, Illuppur Police Station,
Pudukkottai District.

+1cc to Mr.S.Sekar,Advocate,SR.64171

+1cc to M/S.Special Government Pleader,SR.64249

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