



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. 12641 of 2017

WEB COPY

M.Mohanbabu

... Petitioner

-Vs-

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

2.The Sub-Inspector of Police,  
Manamadurai Town Police Station,  
Manamadurai,  
Sivagangai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2<sup>nd</sup> respondent to grant permission and protection for "Adal Padal" programme on 24.07.2017 in connection with "Aadi Amavasai" festival in "Arulmigu Sri Kannadiyan Swamy Kovil", Theethan Pettai, Manamadurai Taluk, Sivagangai District.

For Petitioner : Mr.N.Vijayarajan

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

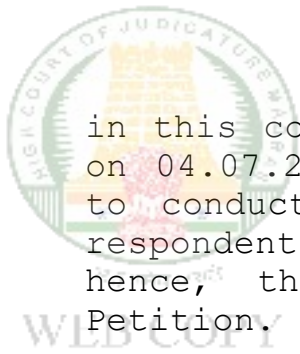
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### **O R D E R**

This Writ Petition is filed for issuing a Writ of Mandamus seeking a direction to the second respondent to grant permission and protection for "Adal Padal" programme on 24.07.2017 in connection with "Aadi Amavasai" festival in "Arulmigu Sri Kannadiyan Swamy Kovil", Theethan Pettai, Manamadurai Taluk, Sivagangai District.

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

3. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Aadal Padal" programme on 24.07.2017 in connection with "Aadi Amavasai" festival in "Arulmigu Sri Kannadiyan Swamy Kovil", Theethan Pettai, Manamadurai Taluk, Sivagangai District. He further submitted that



in this connection, a representation was given to the respondents on 04.07.2017, with a request to grant permission and protection to conduct the programme on the above said date. However, the respondents have not yet considered the said representation and hence, the petitioner is before this Court with this Writ Petition.

4. The learned Additional Government Pleader appearing for the respondents has produced before this Court, a communication, dated 07.07.2017, from the Special Sub Inspector of Police, Manamadurai police station, Sivagangai District. It is specifically stated that in that particular village, there are several communities living and hence, granting permission for "Aadal Padal" programme is likely to cause law and order problem and he has specifically requested not to grant permission for "Aadal Padal" programme.

5. Since the "Aadal Padal" programme is conducted in every parts of the state irrespective of caste, creed and religion in relation to the temple festivals, this Court feel that it will be discrimination of the petitioner, if permission is not granted. It is also admitted that there was no untoward incident in the programme when it was conducted in previous years. Hence, taking serious note of the communication received from the Special Sub Inspector of Police, Manamadurai police station, Sivagangai District, this Court is inclined to pass the following direction:-

*The second respondent/The Sub-Inspector of Police, Manamadurai Town Police Station, Manamadurai, Sivagangai District, is directed to consider the representation of the petitioner, dated 04.07.2017 and to give permission and to provide police protection for "Aadal Padal" programme in connection with "Aadi Amavasai" festival in "Arulmigu Sri Kannadiyan Swamy Kovil", Theethan Pettai, Manamadurai Taluk, Sivagangai District, scheduled to be held on 24.07.2017, subject to the following conditions;*

*(a) the "Aadal Padal" programme in connection with "Aadi Amavasai" festival in "Arulmigu Sri Kannadiyan Swamy Kovil", Theethan Pettai, Manamadurai Taluk, Sivagangai District, scheduled to be held on 24.07.2017 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;*

*https://hcservices.ecourts.gov.in/hcservices/ 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 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 up any Flex Boards representing any community.

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

Sd/-  
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

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

2. The Sub-Inspector of Police,  
Manamadurai Town Police Station,  
Sivagangai District.

+1cc to Mr. N. Vijayarajan, Advocate, SR. 64096

+1cc to M/s. Special Government Pleader, Advocate, SR. 64252

W.P. (MD) No. 12641 of 2017  
07.07.2017

PMU