

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 11.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR**W.P. (MD) No.12737 of 2017**

Dhanapal

... Petitioner

Vs.

The Inspector of Police,
Thiruthangal Police Station,
Thiruthangal,
Virudhunagar 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 protection for cultural event namely Adalpadal scheduled to be held on 14.07.2017 at night in connection with "Pongal Festival" in Arulmigu Sri Muthalammn Kovil at Sanarpatti Village, Sivakasi Taluk, Virudhunagar District, by considering the petitioner's representations, dated 22.06.2017 and 03.07.2017.

For Petitioner : Mr.B.Sudha Sathyananth.

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 14.07.2017 in the eve of the "Arulmigu Sri Muthalammn Kovil at Sanarpatti Village, Sivakasi Taluk, Virudhunagar District, by considering the petitioner's representations, dated 22.06.2017 and 03.07.2017.

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 "Arulmigu Sri Muthalammn Kovil at Sanarpatti Village, Sivakasi Taluk, Virudhunagar District. He further submitted that in this connection, a representations were given to the respondent on



22.06.2017 and 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. The learned Additional Government Pleader appearing for the respondent produced the communication, which was received from the Sub-Inspector of Police, M.Pudupatti Police Station, Virudhunagar District, to the effect that he has serious objection for granting permission to the villagers to conduct 'Adal Padal' programme. He would further submit that this Court may grant permission for Adal Padal programme with stringent conditions.

4. Considering the facts and circumstances of the case, the Writ petition is disposed of with a direction to the respondent/Inspector of Police, Thiruthangal Police Station, Thiruthangal, Virudhunagar District, to consider the representation of the petitioner, dated 22.06.2017 and to give permission and to provide police protection for "Adal Padal" programme in connection with the festival of "Arulmigu Sri Muthalamn Kovil at Sanarpatti Village, Sivakasi Taluk, Virudhunagar District, scheduled to be held on 14.07.2017, subject to the following conditions :

(a) the "Adal Padal" programme in connection with the festival of "Arulmigu Sri Muthalamn Kovil at Sanarpatti Village, Sivakasi Taluk, Virudhunagar District. scheduled to be held on 14.07.2017 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.

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()

/True Copy/

Sub Assistant Registrar

To

1.The Inspector of Police,
Thiruthangal Police Station,
Thiruthangal,
Virudhunagar.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High court,
Madurai.

+1cc to M/S. B.SUDHA SATHYANATH, Advocate, SR.No.64592.

+1cc to Special Government Pleader, SR.No.64956.

W.P. (MD) No.12737 of 2017
11.07.2017

das/pjl

SDS/SKN:RSK/SAR 2/13.07.2017/3P/5C