



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2017

CORAM:

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR**

W.P. (MD) No.12793 of 2017

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P.Selvam

... Petitioner

Vs.

1.The Superintendent of Police,  
Dindigul.

2.The Inspector of Police,  
Natham Police Station,  
Dindigul District.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to give police protection to conduct cultural program (Music and Dance) on 12.07.2017 during the temple festival of Arulmigu Sri Muthualamman temple situated at Sethur Village, Natham Taluk, Dindigul District by considering the representation of the petitioner dated 07.07.2017.

For Petitioner : Mr.S.Sekar

For Respondents : Mr.T.S.Mohamed Mohideen,  
Additional Government Pleader.

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### **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 respondents to give permission and necessary protection to perform the cultural programme (ie.,) "Music and Dance" on 12.07.2017 in the eve of festival of "Arulmigu Sri Muthualamman temple situated at Sethur Village, Natham Taluk, Dindigul District, by considering the petitioner's representation, dated 07.07.2017.

2. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Music and Dance" programme on 12.07.2017 in connection with a festival of "Arulmigu Sri Muthualamman temple situated at Sethur Village, Natham Taluk, Dindigul District. He further submitted that in this connection, a representation was given to the respondents on 07.07.2017, with a request to give permission and protection to conduct the programme on the above said date. However, the respondent Police has not yet considered the said representation and the petitioner is before this Court with this Writ Petition.



3. The learned Additional Government Pleader appearing for the respondents submitted that the Special Sub Inspector of Police has stated in his communication, dated 11.07.2017, that the programme is likely to attract more number of youngsters from neighbouring villages and that therefore, there is likelihood of law and order problem. Further, it is also stated that the organizers are using mike-set, causing noise pollution and hence, there is objection from the police department.

4. Since, no other untoward incidents reported during previous year and no antecedent indicating communal disharmony is reported, denying permission to the petitioner will amount to discrimination as similar permission is given throughout the State. Hence, taking into account the objection of the respondent police, this Court is inclined to dispose of this writ petition with a direction to the respondent/Inspector of Police, Natham Police Station, Dindigul District, to consider the representation of the petitioner, dated 07.07.2017 and to give permission and to provide police protection for "Music and Dance" programme in connection with the festival of "Arulmigu Sri Muthualamman temple situated at Sethur Village, Natham Taluk, Dindigul District scheduled to be held on 12.07.2017, subject to the following conditions and any other reasonable restrictions that may be imposed by the respondent in order to maintain public order and communal harmony:

(a) the "Music and Dance" programme in connection with the festival at "Arulmigu Sri Muthualamman temple situated at Sethur Village, Natham Taluk, Dindigul District, scheduled to be held on 12.07.2017 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;

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

No costs.

Sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,  
Dindigul.

2.The Inspector of Police,  
Natham Police Station,  
Dindigul District.

+1cc to MR.S.SEKAR, Advocate, SR.64620

SRM/IA

KK/SKN RSK/SAR2-12.07.2017-3P-4C

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