

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

DATED: 12.07.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR**W.P. (MD) No.12848 of 2017**

N.Stalin

... Petitioner

Vs.

The Inspector of Police,
Singapunari Police Station,
Sivagangai 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 to perform the program of 'Adal Padal' on 16.07.2017 at night in Arulmigu Kuvanai Ayyanar Thirukovil situated in Singapunari, Singapunari Taluk, Sivagangai District and to provide adequate police protection based on the petitioner's representation dated 05.07.2017.

For Petitioner : M/s.S.Bharathi.
For Respondent : Mr.A.K.Baskara Pandian,
Special 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 16.07.2017 in the eve of festival of "Arulmigu Kuvanai Ayyanar Thirukovil" situated at Singapunari, Singapunari Taluk, Sivagangai District, by considering the petitioner's representation, dated 05.07.2017.

2. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Adal Padal" programme on 16.07.2017 in connection with the festival of "Arulmigu Kuvanai Ayyanar Thirukovil" situated at Singapunari, Singapunari Taluk, Sivagangai District. He further submitted that in this connection, a representation was given to the respondent on 05.07.2017, 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.



3. The learned Special Government Pleader appearing for the respondent submitted that this Court may grant permission for "Adal Padal" programme with stringent conditions. He further submitted that there is no adverse remarks against the petitioner in conducting the "Adal Padal" programme, on 16.07.2017.

4. Considering the facts and circumstances of the case, the Writ petition is disposed of with a direction to the respondent/Inspector of Police, Singapunari Police Station, Sivagangai District, to consider the representation of the petitioner, dated 05.07.2017 and to give permission and to provide police protection for "Adal Padal" programme in connection with the festival of "Arulmigu Kuvanai Ayyanar Thirukovil" situated at Singapunari, Singapunari Taluk, Sivagangai District, scheduled to be held on 16.07.2017, 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 festival at "Arulmigu Kuvanai Ayyanar Thirukovil" situated at Singapunari, Singapunari Taluk, Sivagangai District, scheduled to be held on 16.07.2017 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 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.

sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

The Inspector of Police,
Singapunari Police Station,
Sivagangai District.

+1cc to M/S. S.BHARATHI, Advocate, SR.No.65034.

+1cc to Special Government Pleader, SR.No.65266.

W.P.(MD)No.12848 of 2017
12.07.2017

IA / CMR

SDS/SKN:RSK/SAR 1/14.07.2017/3P/4C