



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.07.2017

CORAM

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**W.P.(MD) No. 12859 of 2017

WEB COPY

Abiramu

... Petitioner

-Vs-

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

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

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the second respondent to grant permission and protection for cultural event namely Aadalpadal scheduled to be held on 02.08.2017 at night in connection with "Aadi Festival" in Arulmigu Sri Muniyandi Kovil at Puthupalayam, Kaanapaadi Post, Vedachandur Taluk, Dindigul District by considering the petitioner's representation dated 30.06.2017.

For Petitioner : Mr.J.M.Jeyakarthick
For Respondents : Mr.A.K.Baskara Pandian,
Special Government Pleader

ORDER

The petitioner has come forward with this Writ Petition for issuance of a Writ of Mandamus, to direct the second respondent to grant permission and protection for cultural event namely Aadalpadal scheduled to be held on 02.08.2017 at night in connection with "Aadi Festival" in Arulmigu Sri Muniyandi Kovil at Puthupalayam, Kaanapaadi Post, Vedachandur Taluk, Dindigul District by considering the petitioner's representation dated 30.06.2017.

2. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Cultural Event" on 02.08.2017 in connection with Aadi festival in "Arulmigu Sri Muniyandi Kovil at Puthupalayam, Kaanapaadi Post, Vedachandur Taluk, Dindigul District. He further submitted that in this connection, a representation was given to the respondent on 30.06.2017, wherein 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. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

4. The learned Special Government Pleader appearing for the respondents submitted that the programme is likely to attract the public from nearby villages. Hence, he has requested not to grant permission in view of the likely hood of law and order problem.

5. Taking into consideration the facts of the present case and the fact that such programmes are being organized and conducted in every villages all over the state, preventing the petitioner from conducting such programme in this particular village will amount to discrimination. However, taking into account the objections of the learned Special Government Pleader, this Court is inclined to pass the following direction:-

"The second respondent/ The Inspector of Police, Vadamadurai Police Station, Madurai District, is directed to consider the representation of the petitioner, dated 30.06.2017 and to give permission and to provide police protection for the "Cultural Event" in connection with the festival in "Arulmigu Sri Muniyandi Kovil at Puthupalayam, Kaanapaadi Post, Vedachandur Taluk, Dindigul District, scheduled to be held on 02.08.2017, subject to the following conditions;

(a) the "Aadi Festival" programme in connection with the festival in "Arulmigu Sri Muniyandi Kovil at Puthupalayam, Kaanapaadi Post, Vedachandur Taluk, Dindigul District, scheduled to be held on 02.08.2017 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. With the above directions, the Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (RTI)

/True copy/

Sub Assistant Registrar

To

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

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

+1 CC to M/s.J.M.JEYA KARTHICK, Advocate, SR No. 64890/17.

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No. 65268

CMR/IA

PSM/SKN-RSK/SAR4/19.07.2017/3P/5C

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