



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.(MD)No.12954 of 2017

B.Satheesh Kumar

... Petitioner

Vs.

The Inspector of Police,
Mandaiyur Police Station,
Pudukkottai 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 cultural programme of "Adal Padal" on 15.07.2017 at night in "Arulmigu Sri Periya Ayyanar Thirukovil" situated at Mandaiyur, Kulathur Taluk, Pudukkottai District, and to provide adequate police protection based on the petitioner's representation, dated 08.07.2017 and 11.07.2017.

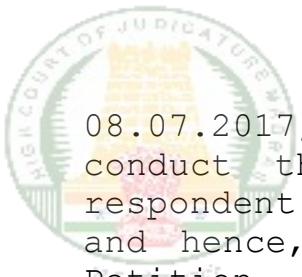
For Petitioner : Mr.R.Amarnath

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 to perform the cultural programme of "Adal Padal" on 15.07.2017 at night in "Arulmigu Sri Periya Ayyanar Thirukovil" situated at Mandaiyur, Kulathur Taluk, Pudukkottai District, and to provide adequate police protection based on the petitioner's representation, dated 08.07.2017 and 11.07.2017.

2. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Adal Padal" programme on 15.07.2017 in connection with a festival in "Arulmigu Sri Periya Ayyanar Thirukovil" is situated at Mandaiyur, Kulathur Taluk, Pudukkottai District. He further submitted that in this connection, a representation was given to the respondent on



08.07.2017, 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 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 15.07.2017.

4. Considering the facts and circumstances of the case, the Writ petition is disposed of with a direction to the respondent/Inspector of Police, Mandaiyur Police Station, Pudukkottai District, to consider the representation of the petitioner, dated 08.07.2017 and to give permission and to provide police protection for "Adal Padal" programme in connection with Festival of "Arulmigu Sri Periya Ayyanar Thirukovil", situated at Mandaiyur, Kulathur Taluk, Pudukkottai District, scheduled to be held on 15.07.2017, subject to the following conditions:

(a) the "Adal Padal" programme in connection with Festival at "Arulmigu Sri Periya Ayyanar Thirukovil" is situated at Mandaiyur, Kulathur Taluk, Pudukkottai District, scheduled to be held on 15.07.2017 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;

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

(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.

5. 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.

6. On further condition, the petitioner shall pay a cost of Rs.1,000/- (Rupees One Thousand only) to the credit of the Hon'ble Chief Justice Relief Fund, Madurai Bench of Madras High Court, Madurai, within today, the order copy shall be issued today, failing which, the order copy shall not be furnished today.

Sd/-

Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar.

To
The Inspector of Police,
Mandaiyur Police Station,
Pudukkottai District.

Copy to:

The Section Officer,
Account Section,
Madurai Bench of Madras High Court,
Madurai.

+1CC to M/S.R.Amarnath, Advocate, SR.No. 65561

W.P. (MD) No.12954 of 2017
14.07.2017

SRM/IA
JM/SKN RSK/SAR 1/14.07.2017/3P/4C