

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

DATED: 14.07.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR**W.P. (MD) No.12956 of 2017**

S.Karuppiah

... Petitioner

Vs.

1.The Superintendent of Police,
Pudukottai District.

2.The Inspector of Police,
Viralimalai Police Station,
Pudukkottai 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) is to be held on 15.07.2017 during the temple festival of Arulmigu Thanavalarntha Muthumari Amman Temple, situated at Kalluppatti Village, Poruvai Post, Viralimalai Taluk, Pudukkottai District, by considering the representation of the petitioner, dated 10.07.2017.

For Petitioner : Mr.S.Sekar.

For Respondents : 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 respondents to give police protection to conduct cultural program (Music and Dance) is to be held on 15.07.2017 during the temple festival of Arulmigu Thanavalarntha Muthumari Amman Temple, situated at Kalluppatti Village, Poruvai Post, Viralimalai Taluk, Pudukkottai District, by considering the representation of the petitioner, dated 10.07.2017.

2. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Music and Dance" programme on 15.07.2017 in connection with a festival in



"Arulmigu Thanavalarntha Muthumari Amman Temple" situated at Kalluppatti Village, Poruvai Post, Viralimalai Taluk, Pudukkottai District. He further submitted that in this connection, a representation was given to the respondent on 10.07.2017, 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 respondents submitted that this Court may grant permission for "Music and Dance" programme with stringent conditions. He further submitted that there is no adverse remarks against the petitioner in conducting the "Music and Dance" 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 second respondent/Inspector of Police, Viralimalai Police Station, Pudukkottai District, to consider the representation of the petitioner, dated 10.07.2017 and to give permission and to provide police protection for "Music and Dance" programme in connection with Festival of "Arulmigu Thanavalarntha Muthumari Amman Temple" situated at Kalluppatti Village, Poruvai Post, Viralimalai Taluk, Pudukkottai District, scheduled to be held on 15.07.2017, subject to the following conditions:

(a) the "Music and Dance" programme in connection with Festival at "Arulmigu Thanavalarntha Muthumari Amman Temple" situated at Kalluppatti Village, Poruvai Post, Viralimalai 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;

(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 (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Pudukottai District.

2. The Inspector of Police,
Viralimalai Police Station,
Pudukkottai District.

Copy to:

Section Officer,
Accounts Section,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S. S.SEKAR, Advocate, SR.No.65579.

W.P. (MD) No.12956 of 2017

14.07.2017