



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. 13066 of 2017

Manokaran

... Petitioner

-Vs-

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

2.The Inspector of Police,
Tiruppuvanam Police Station,
Sivagangai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to grant permission to conduct "Adalum Padalum" cultural Program in "Arulmigu Sri Oorkavalan Temple" festival in Villiyarendal, Sivagangai District, on 30.07.2017 based upon petitioner's representation dated 10.07.2017.

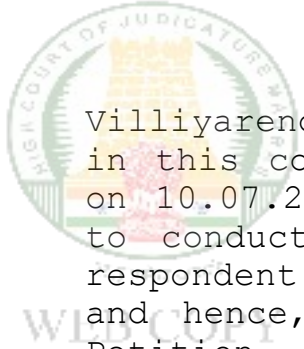
For Petitioner : Mr.R.Boominathan

For Respondents : Mr.A.K.Baskarapandian,
Special Government Pleader.

O R D E R

The petitioner has come forward with this Writ Petition for issuance of a Mandamus seeking a direction to the respondents to grant permission and protection for cultural event namely "Aadalum Padalum" in "Arulmigu Sri Oorkavalan Temple" festival in Villiyarendal, Sivagangai District, on 30.07.2017 based upon petitioner's representation dated 10.07.2017.

2. The learned counsel for the petitioner would submit that <https://hdservices.ecourts.gov.in/hdservices/> jointly decided to conduct "Aadalum Padalum" scheduled to be held on 30.07.2017 at night in connection with "Arulmigu Sri Oorkavalan Temple" festival situated at



Villiyarendal, Sivagangai District. He would further submit 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 would submit that this Court may grant permission for "Aadal Padal" programme with stringent conditions. He would further submit that there is no adverse report against the Petitioner in conducting the "Aadal Padal" programme.

4. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

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. Hence this Court is inclined to pass the following direction:-

"The second respondent/ The Inspector of Police, Thiruppuvanam Police Station, Sivagangai District, is directed to consider the representation of the petitioner, dated 10.07.2017 and to give permission and to provide police protection for Aadalum Padalum" programme in connection with the Festival in "Arulmigu Sri Oorkavalan Temple" festival in Villiyarendal, Sivagangai District" scheduled to be held on 30.07.2017, subject to the following conditions;

(a) the "Aadlum Padalum" programme in connection with the Festival in "Arulmigu Sri Oorkavalan Temple" festival in Villiyarendal, Sivagangai District" scheduled to be held on 30.07.2017, shall 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 social 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. The respondent concerned is directed to issue necessary permission, incorporating the above conditions and ensure the observance of the conditions to maintain public order and tranquillity. It is open to the respondent to take appropriate action in the event of non-observance of the conditions stipulated. 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,
Sivagangai District,
Sivagangai.

2.The Inspector of Police,
Tiruppuvanam Police Station,
Sivagangai District.

+One cc to The Special Government Pleader, SR.No.65902

+One cc to Mr.R.Boominathan, Advocate, SR.No.66065

cmr/dss

RL/5C/2P/SKN/RSK/SAR1/24/7/2017

W.P.(MD) No. 13066 of 2017