



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2017

CORAM

THE HON'BLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) No.13306 of 2017

S.Vijay

... Petitioner

-Vs-

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

2.The Inspector of Police,
S.V. Mangalam Police Station,
Sivagangai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to grant permission to perform the cultural programme of "Adal Padal" on 08.08.2017 at about 07.00 PM to 01.00 AM in Arulmigu Sri Vadakku Vasal Selvi Amman Thirukovil is situated at A.Kalappur, Singapunari Taluk, Sivagangai District and to provide adequate police protection based on the petitioner's representation dated 06.07.2017.

For Petitioner : Mr.S.Muthumalairaja

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

ORDER

This Writ petition is filed for issuing a Writ of Mandamus seeking a direction to the respondents to grant permission to perform the cultural programme of "Adal Padal" on 08.08.2017 at about 07.00 PM to 01.00 AM in Arulmigu Sri Vadakku Vasal Selvi Amman Thirukovil is situated at A.Kalappur, Singapunari Taluk, Sivagangai District and to provide adequate police protection based on the petitioner's representation dated 06.07.2017.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondent.

3. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Adal Padal" programme on 08.08.2017 in "Arulmigu Sri Vadakku Vasal Selvi Amman Thirukovil" is situated at A.Kalappur, Singapunari Taluk, Sivagangai District. He further submitted that in this connection, a representation was submitted to the respondent on 06.07.2017, 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.

4. The learned Special Government Pleader appearing for the respondent submitted that this Court may grant permission for "Adal Padal" programme subject to stringent conditions.

5. Considering the facts and circumstances of the case, the Writ Petition is disposed of with the following directions:

The second respondent/The Inspector of Police, S.V.Mangalam Police Station, Sivagangai District, is directed to consider the representation of the petitioner, dated 06.07.2017 and to give permission and to provide police protection for "Adal Padal" programme in "Arulmigu Sri Vadakku Vasal Selvi Amman ThiruKovil", at A.Kalappur, Singapnari Taluk, Sivagangai District, scheduled to be held on 08.08.2017, subject to the following conditions;

(a) the "Adal Padal" programme in "Arulmigu Sri Vadakku Vasal Selvi Amman ThiruKovil", at A.Kalappur, Singapunari Taluk, Sivagangai District, scheduled to be held on 08.08.2017 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 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 up any Flex Boards representing any community. No costs.

WEB COPY

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

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

2.The Inspector of Police,
S.V. Mangalam Police Station,
Sivagangai District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No.66618

+1cc to Mr.S.MUTHUMALAI RAJA Advocate in SR. No.66687

GNS/SRM

JS/SKN.RSK/SAR.4/24.07.2017/3P-5C

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19.07.2017