



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 21.07.2017
CORAM

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

WEB COPY

W.P.(MD) No.13526 of 2017

S.Karuppiah

... Petitioner

-Vs-

1.The Superintendent of Police,
Pudukkottai District.

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

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to give police protection to conduct cultural program (Music and Dance) is to be held on 28.07.2017 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 18.07.2017.

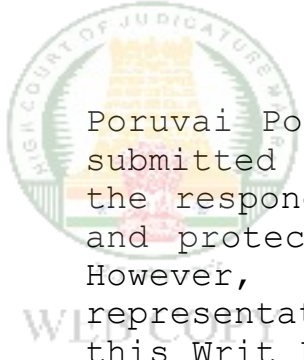
For Petitioner : Mr.S.Sekar
For Respondents : Mr.A.K.Baskarapandiyam,
Special Government Pleader.

O R D E R

This Writ petition is filed for issuing a Writ of Mandamus, directing the respondents to give police protection to conduct cultural program(Music and Dance) is to be held on 28.07.2017 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 18.07.2017.

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

3. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct cultural program(Music and Dance) is to be held on 28.07.2017 in connection with a festival in "Arulmigu Thanavalarntha Muthumari Amman" Temple, at Kalluppatti Village,



Poruvai Post, Viralimalai Taluk, Pudukkottai District. He further submitted that in this connection, a representation was given to the respondents on 18.07.2017, with a request to grant permission and protection to conduct the programme on the above said date. However, the respondents have 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 respondents submitted that this Court may grant permission for the cultural program(Music and Dance) subject to stringent conditions.

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

The second respondent/The Inspector of Police, Viralimalai Police Station, Pudukkottai District, is directed to consider the representation of the petitioner, dated 18.07.2017 and to give permission and to provide police protection for the cultural program (Music and Dance) programme in "Arulmigu Thanavalarntha Muthumari Amman" Temple, at Kalluppatti Village, Poruvai Post, Viralimalai Taluk, Pudukkottai District, scheduled to be held on 28.07.2017, subject to the following conditions;

(a) the cultural program(Music and Dance) in "Arulmigu Thanavalarntha Muthumari Amman" Temple, at Kalluppatti Village, Poruvai Post, Viralimalai Taluk, Pudukkottai District, scheduled to be held on 28.07.2017 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.

6. It is open to second 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.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Pudukkottai District.

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

+1cc to M/S.S.Sekar, Advocate SR.No. 67186

+1cc to Special Government Pleader, SR.No. 67294

W.P.(MD) No. 13526 of 2017
21.07.2017

PMU

JM/SKN RSK/SAR 3/26.07.2017/3P/5C