



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.07.2017

CORAM

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

W.P.(MD) No.13536 of 2017

WEB COPY

Jeyapandi

... Petitioner

-Vs-

1.The Deputy Superintendent of Police,
O/o. The Superintendent of Police,1
Usilampatti,
Madurai District.

2.The Inspector of Police,
Elumalai Police Station,
Usilampatti,
Madurai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to grant permission to the petitioner for conducting "Aadal Padal"(dance programme) show at the evening hours on 28.07.2017 in the light of "Sri Arulmigu Pethannaswamy" Temple, 48th Kumpabikasam at Manuthu Village, Usilampatti Taluk, Madurai District.

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

O R D E R

This Writ petition is filed for issuing a Writ of Mandamus directing the second respondent to grant permission to the petitioner for conducting "Aadal Padal"(dance programme) Show at the evening hours on 28.07.2017 in the light of "Sri Arulmigu Pethannaswamy" Temple, 48th Kumpabikasam, at Manuthu Village, Usilampatti Taluk, Madurai District.

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 "Aadal Padal"(dance programme) Show on 28.07.2017 in connection with "48th Kumpabikasam Festival in "Sri Arulmigu Pethannaswamy" Temple, at Manuthu Village, Usilampatti Taluk, Madurai 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 "Aadal Padal" (dance programme) Show 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, Elumalai Police Station, Usilampatti, Madurai District, is directed to consider the representation of the petitioner, dated 18.07.2017 and to give permission and to provide police protection for "Aadal Padal" (dance programme) Show in "Sri Arulmigu Pethannaswamy" Temple 48th Kumpapikasam at Manuthu Village, Usilampatti Taluk, Madurai District, scheduled to be held on 28.07.2017, subject to the following conditions;

(a) the "Aadal Padal" (dance programme) Show in "Sri Arulmigu Pethannaswamy" Temple 48th Kumpapikasam, at Manuthu Village, Usilampatti Taluk, Madurai 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



(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(Records)

/True Copy/

Sub Assistant Registrar

To

1.The Deputy Superintendent of Police,
O/o Superintendent of Police,1
Usilampatti,
Madurai District.

2.The Inspector of Police,
Elumalai Police Station,
Usilampatti,
Madurai District.

+1cc to M/S.R.Karunanidhi, Advocate SR.No. 66939

+1cc to Special Government Pleader, SR.No. 67291

W.P.(MD) No. 13536 of 2017

21.07.2017

pmu

JM/SKN RSK/SAR 4/24.07.2017/3P/5C