



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2017

CORAM

THE HON'BLE MR.JUSTICE S.S.SUNDARW.P.(MD) No.13572 of 2017

WEB COPY

M.Subramani

... Petitioner

-Vs-

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

2. The Inspector of Police,
Annavasal Police Station,
Annavasal, Iluppur Taluk,
Pudukottai 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 grant necessary permission and provide adequate police protection for "Adal Padal" programme scheduled to be held on 31.07.2017 at 7.00 p.m., to 12.00 p.m., at Sithannavasal Village, Iluppur Taluk, Pudukottai District as part of Kuthirai Eduppu Festival in regard of Ayyanar Adaikathar Kudumi Karuppar temple on the basis of the representation, dated 19.07.2017.

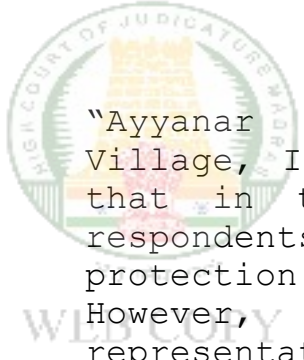
For Petitioner : Mr.T.Indrachithu
For Respondents : Mr.A.K.Baskarapandiyam,
Special Government Pleader.

ORDER

This Writ petition is filed for issuing a Writ of Mandamus, directing the respondents to grant necessary permission and provide adequate police protection for "Adal Padal" programme scheduled to be held on 31.07.2017 at 7.00 p.m., to 12.00 p.m., at Sithannavasal Village, Iluppur Taluk, Pudukottai District as part of "Kuthirai Eduppu" festival in "Ayyanar Adaikathar Kudumi Karuppar" temple on the basis of the representation, dated 19.07.2017.

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 <https://hservices.ecourts.gov.in/hservices/> jointly decided to conduct "Adal Padal" programme on 31.07.2017 in connection with "Kuthirai Eduppu" festival in



"Ayyanar Adaikathar Kudumi Karuppar" temple, Sithannavasal Village, Iluppur Taluk, Pudukottai District. He further submitted that in this connection, a representation was given to the respondents on 19.07.2017, with a request to grant permission and protection to conduct the programme on the above said date. However, the respondents 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, Annavasal Police Station, Annavasal, Iluppur Taluk, Pudukottai District, is directed to consider the representation of the petitioner, dated 19.07.2017 and to give permission and to provide police protection for "Adal Padal" programme in connection with "Kuthirai Eduppu" festival in "Ayyanar Adaikathar Kudumi Karuppar" temple, Sithannavasal Village, Iluppur Taluk, Pudukottai District, scheduled to be held on 31.07.2017, subject to the following conditions;

(a) the "Adal Padal" programme in connection with the "Kuthirai Eduppu" festival in "Ayyanar Adaikathar Kudumi Karuppar" temple, Sithannavasal Village, Iluppur Taluk, Pudukottai District, scheduled to be held on 31.07.2017 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,
Pudukottai District,
Pudukottai.
2. The Inspector of Police,
Annavaasal Police Station,
Annavaasal, Iluppur Taluk,
Pudukottai District.

+1 CC to M/s.T.INDRA CHITHU, Advocate, SR No. 67229/17.

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No. 67988

PMU

PSM/SV/SAR2/28.07.2017/3P/5C

W.P.(MD) No. 13572 of 2017
24.07.2017