



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2017

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

W.P.(MD) No.13617 of 2017

K.Muniyan

... Petitioner

-Vs-

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

2. The Inspector of Police,
Velayuthampalayam Police Station,
Karur 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 permit the petitioner to conduct "Aadal Paadal" on 27.07.2017 from 08.00 p.m., to 12.00 a.m., at the function of deity Sri Madurai Veeran Temple function, situated at Perurachi Colony, Velayuthampalayam, Punjaipugalur Town Panchayat, Manmangalam Taluk, Karur District, on the basis of the petitioner's representation, dated 19.07.2017.

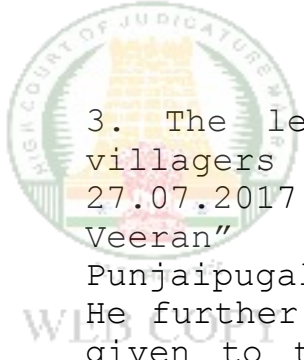
For Petitioner : Mr.K.Balasubramani

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

O R D E R

This Writ petition is filed for issuing a Writ of Mandamus, directing the second respondent to permit the petitioner to conduct "Aadal Paadal" on 27.07.2017 from 08.00 p.m., to 12.00 a.m., at the function of deity "Sri Madurai Veeran" Temple, situated at Perurachi Colony, Velayuthampalayam, Punjaipugalur Town Panchayat, Manmangalam Taluk, Karur District, on the basis of the petitioner's representation, dated 19.07.2017.

<https://hcservices.courts.gov.in/hcservices> 2. He and 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 "Aadal Paadal" programme on 27.07.2017 in connection with a festival in deity "Sri Madurai Veeran" Temple, at Perurachi Colony, Velayuthampalayam, Punjaipugalur Town Panchayat, Manmangalam Taluk, Karur 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 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 respondent on instructions submitted that granting permission to conduct the "Aadal Paadal" programme is likely to attract more crowd from the neighbouring villages and there is a likelihood of law and order problem.

5. Considering the serious objections, the Writ Petition is disposed of with the following directions:

The second respondent/The Inspector of Police, Velayuthampalayam Police Station, Karur District, is directed to consider the representation of the petitioner, dated 19.07.2017 and to give permission and to provide police protection for "Aadal Paadal" programme in connection with a festival in deity "Sri Madurai Veeran" Temple, at Perurachi Colony, Velayuthampalayam, Punjaipugalur Town Panchayat, Manmangalam Taluk, Karur District, scheduled to be held on 27.07.2017, subject to the following conditions;

(a) the "Aadal Paadal" programme in connection with a festival in deity "Sri Madurai Veeran" Temple, at Perurachi Colony, Velayuthampalayam, Punjaipugalur Town Panchayat, Manmangalam Taluk, Karur District, scheduled to be held on 27.07.2017, 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;

<https://hcservices.ecourts.gov.in/hcservices/> 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 the 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,
Karur District, Karur.
2. The Inspector of Police,
Velayuthampalayam Police Station,
Karur District.

+1CC to Mr.K.Balasubramani, Advocate, SR.No. 67222
+1CC to the Special Government Pleader SR.No. 67784

W.P.(MD) No. 13617 of 2017
24.07.2017

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