



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.07.2017

CORAM

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

W.P. (MD) No.13721 of 2017

WEB COPY

V.Palpandi

... Petitioner

-Vs-

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

2.The Inspector of Police,
Devadhanapatti Police Station,
Theni 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 and protection for Adal Padal program perform by Jali Boys & Dhinesh Gouda Raj Boys" in "Urchava Perunthiruvizha" scheduled to be held on 01.08.2017 and 02.08.2017 at 06.00 p.m at Arulmigu Sri Kalliamman Thirukovil at G.Kallupatti, Genguvarpatti Village, Periyakulam Taluk, Theni District by considering the Petitioner's representation dated 21.07.2017.

For Petitioner : Mr.R.Karthic Rajan

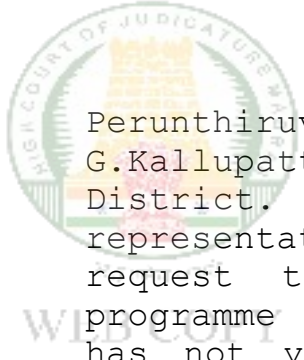
For Respondents : Mr.A.K.Baskarapandian,
Special Government Pleader.

O R D E R

This Writ petition is filed for issuing a Writ of Mandamus directing the respondents to grant permission and protection for Adal Padal program perform by Jali Boys & Dhinesh Gouda Raj Boys" in "Urchava Perunthiruvizha" scheduled to be held on 01.08.2017 and 02.08.2017 at 06.00 p.m at Arulmigu Sri Kalliamman Thirukovil at G.Kallupatti, Genguvarpatti Village, Periyakulam Taluk, Theni District by considering the Petitioner's representation dated 21.07.2017.

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://hseervices.sco.nic.in/hseervices/> jointly decided to conduct "Adal-padal" programme on
01.08.2017 and 02.08.2017 in connection with "Urchava



Perunthiruvizha" of Arulmigu Sri Kalamman Thirukovil at G.Kallupatti, Genguvarpatti Village, Periyakulam Taluk, Theni District. He further submitted that in this connection, a representation was given to the respondent on 21.07.2017, 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 counsel for the petitioner further submitted that the last year the said programme was conducted successfully, pursuant to the direction of this Court in W.P.(MD) No.13445 of 2016, dated 28.07.2016.

5.The learned Special Government Pleader appearing for the respondents submitted that there was a problem when similar programme was conducted in the year 2016. Hence, this Court may grant permission for "Adal Padal" programme subject to stringent conditions.

6. Considering the serious objections, the Writ Petition is disposed of with a direction to the second respondent/The Inspector of Police, Devadhanapatti Police Station, Theni District, is directed to consider the representation of the petitioner, dated 21.07.2017 and to give permission and to provide police protection for "Adal-Padal" programme in connection with "Urchava Perunthiruvizha" of Arulmigu Sri Kalamman Thirukovil at G.Kallupatti, Genguvarpatti Village, Periyakulam Taluk, Theni District, scheduled to be held on 01.08.2017 and 02.08.2017, subject to the following conditions:

(a) the "Adal-Padal" programme in connection with the "Urchava Perunthiruvizha" of Arulmigu Sri Kalamman Thirukovil at G.Kallupatti, Genguvarpatti Village, Periyakulam Taluk, Theni District, scheduled to be held on 01.08.2017 and 02.08.2017 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.

7. It is open to respondent police to put any further restrictions or to impose any conditions purely in the interest of preserving public order, tranquillity and communal harmony. There can be a total ban for putting up any Flex Boards representing any community. No costs.

Sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar

To

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

2.The Inspector of Police,
Devadhanapatti Police Station,
Theni District.

+1cc to Mr.R.Karthickrajan,Advocate,SR. 68498

W.P.(MD) No. 13721 of 2017
27.07.2017

CP/MM

KK/SKN RSK/SAR 2/31.07.2017/ 3P- 4C