



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 26.07.2017
CORAM

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

WEB COPY

W.P.(MD) No. 13766 of 2017

U.Subbaiya

... Petitioner

-Vs-

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

2.The Inspector of Police,
Karivalamvanthanallur Police Station,
Karivalamvanthanallur,
Tirunelveli District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to give permission and police protection for the Adal Padal function to be scheduled on 03.08.2017 at the temple festival of Sri Vazhavantha Amman temple Festival, Senthattiyapuram, Sankarankoil Taluk, Tirunelveli District by considering the petitioner representation dated 19.07.2017 within the period stipulated by this Court.

For Petitioner : Mr.M.Mohammed Sherbudeen
For Respondents : Mr.A.K.Baskarapandian
Special Government Pleader.

O R D E R

The petitioner has come forward with this Writ Petition for issuance of a Writ of Mandamus seeking a direction to direction the second respondent to give permission and police protection for the Adal Padal function to be scheduled on 03.08.2017 at the temple festival of Sri Vazhavantha Amman temple Festival, Senthattiyapuram, Sankarankoil Taluk, Tirunelveli District by considering the petitioner representation dated 19.07.2017.

2. The learned counsel for the petitioner would submit that the villagers jointly decided to perform Adal Padal function on 03.08.2017 in connection with Sri Vazhavantha Amman temple Festival, Senthattiyapuram, Sankarankoil Taluk, Tirunelveli District. He would further submit that in this connection, a representation was given to the respondent on 19.07.2017, 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.

3. The learned Special Government Pleader appearing for the respondents would submit that the respondent police has some formal objections and admitted that no untoward incident has been report in connection with the programme during the past and this Court may grant permission for " Adal Padal function with stringent conditions. He would further submit that there is no adverse report against the Petitioner in conducting the " Adal Padal function".

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

5. Taking into consideration the facts of the present case and the fact that such programmes are being organized and conducted in every villages all over the state, preventing the petitioner from conducting such programme in this particular village will amount to discrimination. Hence this Court is inclined to pass the following direction:-

"The second respondent / The Inspector of Police, Karivalamvanthanallur Police Station, Karivalamvanthanallur, Tirunelveli 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 function" scheduled to be held on 03.08.2017 in connection with Sri Vazhavantha Amman temple Festival, Senthattiyapuram, Sankarankoil Taluk, Tirunelveli District, subject to the following conditions;

(a) "Adal Padal function" scheduled to be held on 03.08.2017 in connection with Sri Vazhavantha Amman temple Festival, Senthattiyapuram, Sankarankoil Taluk, Tirunelveli District, shall be completed before 10.30 p.m on 03.08.2017.

(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 political leader be erected;

