



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.07.2017

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.(MD) No. 13852 of 2017

WEB COPY

S.Ramesh

... Petitioner

-Vs-

1.The Commissioner of Police,
Madurai City
Madurai.

2.The Inspector of Police,
Thirupparankudram Police Station,
Madurai - 5

...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 performed by "Mister Miranda" in Mulaippari Urchava Vizha" scheduled to be held on 03.08.2017 at Arulmigu Sri Veyil Ugantha Amman Thirukovi at Keelatheru, Thirupparankundram, Madurai by considering the petitioner's representation dated 23.07.2017.

For Petitioner : Mr.R.Karthicrajan

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 direct Adal Padal program performed by "Mister Miranda" in Mulaippari Urchava Vizha" scheduled to be held on 03.08.2017 at Arulmigu Sri Veyil Ugantha Amman Thirukovil at Keelatheru, Thirupparankundram, Madurai by considering the petitioner's representation dated 23.07.2017.

2. The learned counsel for the petitioner would submit that the villagers jointly decided to perform Adal Padal program on 03.08.2017 in connection with festival at Arulmigu Sri Veyil Ugantha Amman Thirukovil at Keelatheru, Thirupparankundram, Madurai. He would further submit that in this connection, a representation was given to the respondent on 23.07.2017, with a request to grant permission and protection to conduct the programme on the above said date. However, the respondent Police
<https://hcservices.ecourts.gov.in/hcservices/> 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 reported in connection with the programme during the past and this Court may grant permission for " Adal Padal program with stringent conditions. He would further submit that there is no adverse report against the Petitioner in conducting the " Adal Padal program".

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, Thirupparankudram Police Station, Madurai - 5, is directed to consider the representation of the petitioner, dated 23.07.2017 and to give permission and to provide police protection for "Adal Padal program" scheduled to be held on 03.08.2017 in connection Arulmigu Sri Veyil Ugantha Amman Thirukovil festival at Keelatheru, Thirupparankundram, Madurai, subject to the following conditions;

(a) "Adal Padal program" scheduled to be held on 03.08.2017 in connection with Sri Veyil Ugantha Amman Thirukovil festival at Keelatheru, Thirupparankundram, Madurai, 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 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 dance programme, if it exceeds beyond the permitted time;

(i) 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. The respondent concerned is directed to issue necessary permission, incorporating the above conditions and ensure the observance of the conditions to maintain public order and tranquillity. It is open to the respondent to take appropriate action in the event of non-observance of the conditions stipulated. With the above directions, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar(C.S.)

To

1.The Commissioner of Police,
Madurai City,Madurai.

2.The Inspector of Police,
Thirupparankudram Police Station,
Madurai - 5

+1cc to M/S.R.KARTHIC RAJAN, Advocate SR.No.68092

+1cc to Special Government Pleader, SR.No. 68683

dsk/sss

MAS/SKN-RSK/SAR3:01.08.2017:3P-5C

W.P.(MD) No. 13852 of 2017
26.07.2017