



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.07.2017

CORAM

WEB COPY

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

W.P.(MD) No. 13860 of 2017

P.Mani

... Petitioner

-Vs-

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

2.The Inspector of Police,
Thuruvaikulam Police Station,
Thuruvaikulam,
Tuticorin 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 consider the petitioner's representation, dated 19.07.2017 to grant permission to conduct the " Aadi Pongal Festival" as well as other programmes and also to conduct the " Aadal Padal" at about 7.00 p.m to 12.00 p.m on 16.08.2017 in temple namely "Arulmighu Sri Pathirakalliamman Kovil" in V.Pandiyapuram, Veppalodai Post, Ottapidaram Taluk, Tuticorin District.

For Petitioner : Mr.C.Jeyaprakash

For Respondents : Mr.A.K.Baskara Pandian,
Special Government Pleader.

O R D E R

The petitioner has come forward with this Writ Petition for issuance of a Writ of Mandamus directing the second respondent to consider the petitioner's representation, dated 19.07.2017 to grant permission to conduct the " Aadi Pongal Festival" as well as other programmes and also to conduct the " Aadal Padal" at about 7.00 p.m to 12.00 p.m on 16.08.2017 in temple namely "Arulmighu Sri Pathirakalliamman Kovil" in V.Pandiyapuram, Veppalodai Post, Ottapidaram Taluk, Tuticorin District.

District.
nonresident.

The second respondent/Inspector of Police,

(a) the "Aadi Pongal Festival" as well as "Aadal

(b) there should not be any kind of obscene dance or



(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) 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 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 of any Flex Boards representing any community.

7. With the above directions, the Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar.

To

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

2.The Inspector of Police, Thuruvaikulam Police Station,
Thuruvaikulam, Tuticorin District.

+1CC to Mr.C.Jeyaprakash, Advocate, SR.No. 68812

+1CC to the Special Government Pleader SR.No. 69321

W.P. (MD).No.13860 of 2017

28.07.2017