



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.07.2017

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

W.P.(MD) No.13914 of 2017

M.Muthuvel

... Petitioner

-Vs-

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

2. The Inspector of Police,
Palani Chettipatti 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 necessary Police Protection to perform the cultural programme (i.e.) Dance Programme on 03.08.2017 at 6.00 p.m. to 11.00 p.m. in the festival of Arulmighu Sri Seelaikariamman Thirukovil Thiruvizha at Kottaipatti, Ammatchiapuram Post, Theni District.

For Petitioner : Mr.V.Manikandan

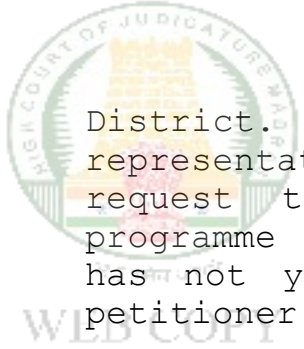
For Respondents : Mr.A.K.Baskarapandian,
Special Government Pleader.

O R D E R

This Writ petition is filed for issuing a Writ of Mandamus directing the Respondents to grant permission and necessary Police Protection to perform the cultural programme (i.e.) Dance Programme on 03.08.2017 at 6.00 p.m. to 11.00 p.m. in the festival of Arulmighu Sri Seelaikariamman Thirukovil Thiruvizha at Kottaipatti, Ammatchiapuram Post, Theni District.

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 villagers jointly decided to conduct cultural program (i.e.,) ~~on 03.08.2017~~ on 03.08.2017 in Arulmighu Sri Seelaikariamman Thirukovil Thiruvizha at Kottaipatti, Ammatchiapuram Post, Theni



District. He further submitted that in this connection, representation was given to the respondent on 20.07.2017, 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 Special Government Pleader appearing for the respondents submitted that granting permission to conduct the cultural program (i.e.,) Dance Programme programme is likely to attract more crowd from the neighbouring villages and there is a likelihood of law and order problem. When enquired, the learned Special Government Pleader reported that no untoward incident happened.

5. Considering the facts and circumstances of the case, the Writ Petition is disposed of with a direction to the second respondent / The Inspector of Police, Palani Chettipatti Police Station, Theni District, is directed to consider the representation of the petitioner, dated 20.07.2017 and to give permission and to provide police protection for cultural program (i.e.,) Dance Programme in Arulmighu Sri Seelaikariamman Thirukovil Thiruvizha at Kottaipatti, Ammatchiapuram Post, Theni District, scheduled to be held on 03.08.2017, subject to the following conditions;

(a) the cultural program (i.e.,) Dance Programme in Arulmighu Sri Seelaikariamman Thirukovil Thiruvizha at Kottaipatti, Ammatchiapuram Post, Theni District, is scheduled to be held on 03.08.2017 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;

and 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 up any Flex Boards representing any community. No costs.

Sd/-

Assistant Registrar(T&P)

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Theni District,
Theni.
2. The Inspector of Police,
Palani Chettipatti Police Station,
Theni District.

+1 cc to Mr.V.Manikandan , Advocate in SR.No. 68542
+1 cc to The Special Government Pleader in SR.No.69010

cp/mm

AE/SV AAM/SAR4/01.08.2017/3P/5C

W.P.(MD) No. 13914 of 2017
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