



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) No.14158 of 2017

S.Nehru Kannan

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police Office,
Pudukottai District.

2.The Sub Inspector of Police,
Vellanoor Police Station,
Pudukottai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents 1 and 2 to grant permission and protection for yearly festival of Arulmigu Shree Muthumariamman Temple situated at Melur Village, Kulathur Taluk, Pudukottai District for the "Adal Padal dance Programme" on 07.08.2017 at about 06.00 P.M.

For Petitioner : Mr.K.Srinivasaragavan

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 seeking a direction to the respondents 1 and 2 to grant permission and protection for yearly festival of Arulmigu Shree Muthumariamman Temple situated at Melur Village, Kulathur Taluk, Pudukottai District for the "Adal Padal dance Programme" on 07.08.2017 at about 06.00 P.M.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondent.

3. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Adal Padal" dance programme on 07.08.2017 at about 06.00 p.m. in connection with yearly festival of Arulmigu Shree Muthumariamman Temple situated at Melur Village, Kulathur Taluk, Pudukottai District. He further



submitted that in this connection, a representation was given to the respondent on 27.07.2017, 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 respondent submitted that this Court may grant permission for "Adal Padal" dance programme subject to stringent conditions.

5. Considering the facts and circumstances of the case, the Writ Petition is disposed of with the following directions:

The second respondent/The Sub-Inspector of Police, Vellanoor Police Station, Pudukkottai District, is directed to consider the representation of the petitioner, dated 27.07.2017 and to give permission and to provide police protection for "Adal Padal" dance programme in connection with yearly festival of Arulmigu Shree Muthumariamman Temple situated at Melur Village, Kulathur Taluk, Pudukkottai District, scheduled to be held on 07.08.2017, subject to the following conditions;

(a) the "Adal Padal" dance programme in connection with the yearly festival of Arulmigu Shree Muthumariamman Temple situated at Melur Village, Kulathur Taluk, Pudukkottai District, scheduled to be held on 07.08.2017 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.

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,
Office of the Superintendent of Police Office,
Pudukottai District.

2.The Sub Inspector of Police,
Vellanoor Police Station,
Pudukottai District.

+1CC to Mr.K.Srinivasaragavan, Advocate, SR.No. 69512

+1CC to the Special Government Pleader SR.No. 69385

W.P.(MD)No. 14158 of 2017

cmr/dsk

AM/MR/SAR 1/04.08.2017/3P/5C