



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.08.2017

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

W.P.(MD) No.14202 of 2017

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S.Masanaraja

... Petitioner

-Vs-

1.The Superintendent of Police,
Tirunelveli District.

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

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to grant permission and give police protection to conduct the "Aadalum Padalum" dance program at about 7.00 p.m., on 16.08.2017 in pursuance to the festival of "Arulmigu Sri Muppudathi Santhana Mariyamman Thirukovil", situated in North Street, Ayarkulam, Nanguneri Taluk, Tirunelveli District, on considering petitioner's representation, dated 19.07.2017.

For Petitioner : Mr.S.Karthick Subramanian

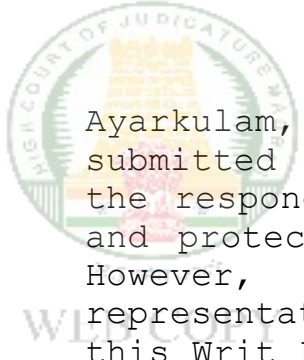
For Respondents : Mr.A.K.Baskara Pandiyan,
Special Government Pleader.

O R D E R

This Writ petition is filed for issuing a Writ of Mandamus seeking a direction to the respondents herein to grant permission and give police protection to conduct the "Aadalum Padalum" dance program at about 7.00 p.m., on 16.08.2017 in pursuance to the festival of "Arulmigu Sri Muppudathi Santhana Mariyamman Thirukovil", situated in North Street, Ayarkulam, Nanguneri Taluk, Tirunelveli District, on considering petitioner's representation, dated 19.07.2017.

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 respondents herein have already decided to conduct "Aadalum Padalum" dance programme on 16.08.2017 in connection with a festival in "Arulmigu Sri Muppudathi Santhana Mariyamman Thirukovil", at North Street,



Ayarkulam, Nanguneri Taluk, Tirunelveli District. He further submitted that in this connection, a representation was given to the respondents on 19.07.2017, with a request to grant permission and protection to conduct the programme on the above said date. However, the respondents have 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 "Aadalum Padalum" 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 Inspector of Police, Ayarkulam Police Station, 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 "Aadalum Padalum" dance programme in connection with a festival in "Arulmigu Sri Muppudathi Santhana Mariyamman Thirukovil", at North Street, Ayarkulam, Nanguneri Taluk, Tirunelveli District, scheduled to be held on 16.08.2017, subject to the following conditions;

(a) the "Aadalum Padalum" dance programme in connection with a festival in "Arulmigu Sri Muppudathi Santhana Mariyamman Thirukovil", at North Street, Ayarkulam, Nanguneri Taluk, Tirunelveli District, scheduled to be held on 16.08.2017 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;

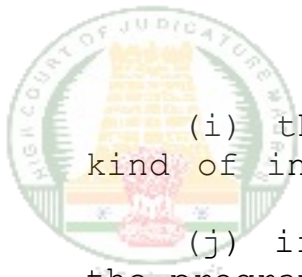
(d) no dance or songs, touching upon any political party or religion, community or caste be played;

(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;

<https://hcservices.ecourts.gov.in/hcservices/> Additionally, 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.

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6. It is open to respondents 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

/ True Copy /

Sub Assistant Registrar(C.S.)

To

1.The Superintendent of Police,
Tirunelveli District.

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

+1cc to M/S.S.KARTHICK SUBRAMANIAN, Advocate SR.No.69190

+1cc to Special Government Pleader, SR.No.70232

pmu

MAS/JC/SAR4:08.08.2017:3P-5C

W.P.(MD) No. 14202 of 2017
01.08.2017