



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.08.2017

CORAM

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

W.P. (MD) No.14296 of 2017

WEB COPY

A.Prabhakaran

... Petitioner

-Vs-

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

2.The Inspector of Police,
Aranthangi Police Station,
Aranthangi,
Pudukkottai District.

... Respondents

Prayer: Writ Petition is 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 29.07.2017 to grant permission to conduct "Aadi Pongal Festival" as well as other programmes and also to conduct the "Kiramiya Isai and Aadal Padal" at about 06.00 p.m. to 11.00 p.m. on 08.08.2017 in temple namely "Sunaiyakadu Arulmigu Shree Muthumariamman Temple", Sunaiyakadu Post, Aranthangi Taluk, Pudukkottai District.

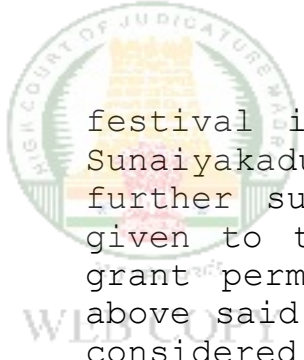
For Petitioner : Mr.C.Jeyaprakash
For Respondents : Mr.A.K.Baskarapandian,
Special Government Pleader.

O R D E R

This Writ petition is filed for issuing a Writ of Mandamus seeking a direction to the second respondent to consider the petitioner's representation, dated 29.07.2017 to grant permission to conduct "Aadi Pongal Festival" as well as other programmes and also to conduct the "Kiramiya Isai and Aadal Padal" at about 06.00 p.m., to 11.00 p.m., on 08.08.2017 in temple namely "Sunaiyakadu Arulmighu Shree Muthumariamman Temple", Sunaiyakadu Post, Aranthangi Taluk, Pudukkottai District.

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

<https://hcservices.courts.gov.in/hcservices>
3. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Kiramiya Isai and Aadal Padal" programme on 08.08.2017 in connection with "Aadi Pongal"



festival in "Sunaiyakadu Arulmighu Shree Muthumariamman Temple", Sunaiyakadu post, Aranthangi Taluk, Pudukkottai District. He further submitted that in this connection, a representation was given to the second respondent on 29.07.2017, with a request to grant permission and protection to conduct the programme on the above said date. However, the second 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 "Kiramiya Isai and Aadal Padal" 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 2nd respondent/The Inspector of Police, Aranthangi Police Station, Aranthangi, Pudukkottai District, is directed to consider the representation of the petitioner, dated 29.07.2017 and to give permission and to provide police protection for "Kiramiya Isai and Aadal Padal" programme in connection with "Aadi Pongal" festival in "Sunaiyakadu Arulmigu Shree Muthumariamman Temple", Sunaiyakadu post, Aranthangi Taluk, Pudukkottai District, scheduled to be held on 08.08.2017, subject to the following conditions;

(a) the "Kiramiya Isai and Aadal Padal" programme in connection with the "Aadi Pongal" festival" in "Sunaiyakadu Arulmigu Shree Muthumariamman Temple", Sunaiyakadu post, Aranthangi Taluk, Pudukkottai District, scheduled to be held on 08.08.2017 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 the 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

To

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

2.The Inspector of Police,
Aranthangi Police Station,
Aranthangi,
Pudukkottai District.

+1cc to Special Government Pleader, SR.No. 70234

+1cc to M/S.C.Jeyaprakash, Advocate SR.No. 69200

W.P.(MD) No. 14296 of 2017

01.08.2017

pmu

JM/MMS/SAR 1/04.08.2017/3P/5C