



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.08.2017
CORAM

WEB COPY

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

W.P. (MD) No.14310 of 2017

A.Kariamal Alagu

... Petitioner

-Vs-

The Inspector of Police,
Kulathur Police Station,
Kulathur,
Thoothukudi District.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent herein to give necessary police protection and permit the petitioner to conduct "Adalum Padalum" cultural program during Arulmigu Sree Ulaganda Eswari Amman festival, Vedanatham Post, Ottapidaram Taluk, Thoothukudi District, on 17.08.2017 and consider the petitioner's representation, dated 27.07.2017.

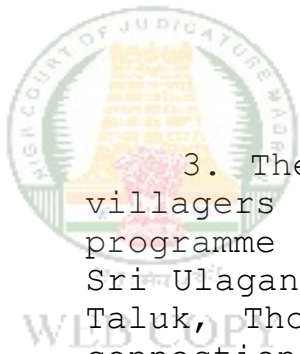
For Petitioner : M/s.Lakshmi Gopinathan
for M/s.Polax Legal Solutions

For Respondent : 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 respondent herein to give necessary police protection and permit the petitioner to conduct "Adalum Padalum" cultural program, in connection with "Arulmigu Sree Ulaganda Eswari Amman" festival, Vedanatham Post, Ottapidaram Taluk, Thoothukudi District, on 17.08.2017 and to consider the petitioner's representation, dated 27.07.2017.

<https://hcservices.courts.gov.in/hcservices/> 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 "Aadalum Padalum" cultural programme on 17.08.2017 in connection with a festival in "Arulmigu Sri Ulaganda Eswari Amman" temple, at Vedanatham Post, Ottapidaram Taluk, Thoothukudi 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 "Aadalum Padalum" cultural 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 respondent/The Inspector of Police, Kulathur Police Station, Kulathur, Thoothukudi District, is directed to consider the representation of the petitioner, dated 27.07.2017 and to give permission and to provide police protection for "Aadalum Padalum" cultural programme in connection with a festival in "Arulmigu Sri Ulaganda Eswari Amman" temple, at Vedanatham Post, Ottapidaram Taluk, Thoothukudi District, scheduled to be held on 17.08.2017, subject to the following conditions;

(a) the "Aadalum Padalum" programme in connection with a festival in "Arulmigu Sri Ulaganda Eswari Amman" temple, at Vedanatham Post, Ottapidaram Taluk, Thoothukudi District, scheduled to be held on 17.08.2017 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;

<https://hcservices.ecourts.gov.in/hcservices> (cont.) 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

The Inspector of Police,
Kulathur Police Station,
Kulathur,
Thoothukudi District.

+One cc to The Special Government Pleader, SR.No.70231

+One cc to M/s.Polax Legal Solutions, Advocate, SR.No.69876

pmu
RL/4C/3P/KP/SAR1/8/8/2017

W.P.(MD) No. 14310 of 2017

01.08.2017