



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2017

CORAM

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

W.P. (MD) No.14421 of 2017

WEB COPY

P.Selvaraj

... Petitioner

-Vs-

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

2.The Inspector of Police,
Ulagampatti Police Station,
Ulagampatti, Sivagangai District

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to consider the petitioner representation dated 31.07.2017 to grant permission to conduct the "Vinayagar Sathurthi Vizha" as well as other programmes and also to conduct the Aadal Padal at about 06.00 pm to 11.00 pm on 27.08.2017 in temple namely Shree Selva Vinayagar Kovil situated at Poolankurichi, Thiruppathur Taluk, Sivagangai District.

For Petitioner : Mr.C.Jeyaprakash

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

O R D E R

This Writ petition is filed for issuing a Writ of Mandamus directing the second respondent to consider the petitioner representation dated 31.07.2017 to grant permission to conduct the "Vinayagar Sathurthi Vizha" as well as other programmes and also to conduct the Aadal Padal at about 06.00 pm to 11.00 pm on 27.08.2017 in temple namely Shree Selva Vinayagar Kovil situated at Poolankurichi, Thiruppathur Taluk, Sivagangai District.

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

<https://hcservices.courts.madras.gov.in/hcservices/>
3. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Aadal Padal" programme on



27.08.2017 in connection with "Vinayagar Sathurthi Vizha" in Shree Selva Vinayagar Kovil situated at Poolankurichi, Thiruppathur Taluk, Sivagangai District. He further submitted that in this connection, a representation was given to the respondent on 31.07.2017, 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 this Court may grant permission for "Adal 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 second respondent/The Inspector of Police, Ulagampatti Police Station, Ulagampatti District, is directed to consider the representation of the petitioner, dated 31.07.2017 and to give permission and to provide police protection for "Adal Padal" programme in connection with "Vinayagar Sathurthi Vizha" in Shree Selva Vinayagar Kovil situated at Poolankurichi, Thiruppathur Taluk, Sivagangai District, scheduled to be held on 27.08.2017, subject to the following conditions;

(a) the "Adal Padal" programme in connection with the "Vinayagar Sathurthi Vizha" in Shree Selva Vinayagar Kovil situated at Poolankurichi, Thiruppathur Taluk, Sivagangai District, scheduled to be held on 27.08.2017 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;

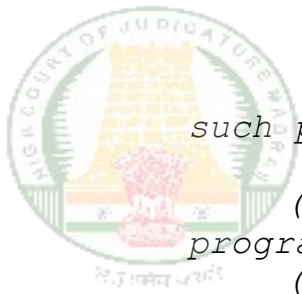
(c) double meaning songs should not be played so as to spoil the minds of students and the youth;

(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/> 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

/True copy/

Sub Assistant Registrar

To

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

2.The Inspector of Police,
Ulagampatti Police Station,
Ulagampatti, Sivagangai District.

+1cc to Mr.C.Jeyaprakash,Advocate,SR.70534

+1cc to M/S.Special Government Pleader,SR.70921

CP/DSK

KK/SKN RSK/SAR1/09.08.2017/ 2P- 5C/

W.P.(MD) No. 14421 of 2017
03.08.2017