



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2017

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

W.P. (MD) No.14492 of 2017

B.Dhamodharan

... Petitioner

-Vs-

The Inspector of Police,
Melattur Police Station,
Melattur,
Thanjavur District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the Respondent to give the permission to conduct the orchestra (Adal Padal Program) in the name of "Dr.Madurai Chandran Nattupuram Gramiya Adal Padal function on 07.08.2017" at Sree Selva Vinayaga Sree Veerakaliamman, Sree Ayyanar, Sree Muneeshwarar, Sree Peedariamman temple, Papanasam Taluk, Thanjavur District on 07.08.2017 at 08.00 P.M. to 12.00 P.M. by considering the Petitioners representation dated 31.07.2017.

For Petitioner : Mr.K.Sivabalan

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

O R D E R

This Writ petition is filed for issuing a Writ of Mandamus to direct the Respondent to give the permission to conduct the orchestra (Adal Padal Program) in the name of "Dr.Madurai Chandran Nattupuram Gramiya Adal Padal function on 07.08.2017" at Sree Selva Vinayaga Sree Veerakaliamman, Sree Ayyanar, Sree Muneeshwarar, Sree Peedariamman Temple, Papanasam Taluk, Thanjavur District on 07.08.2017 at 08.00 P.M. to 12.00 P.M. by considering the Petitioners representation dated 31.07.2017.

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

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

3. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct orchestra (Adal Padal



Program) in the name of "Dr.Madurai Chandran Nattupuram Gramiya Adal Padal function" on 07.08.2017 in connection with a festival in Sree Selva Vinayaga Sree Veerakaliyamman, Sree Ayyanar, Sree Muneeshwarar, Sree Peedariamman Temple, Papanasam Taluk, Thanjavur 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 respondent on instructions submitted that the petitioner is organizing the programme in the middle of water course (River) and hence it is further stated that the respondent has no objection if the programme is conducted in any other place or within the village in the vicinity of the temple.

5.The learned counsel for the petitioner submitted that they have no plan to conduct the programme in any objectionable place and the petitioner will be satisfied if the permission is granted to conduct the programme in the place which is unobjectionable to the respondent police.

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

The respondent/The Inspector of Police, Melattur Police Station, Melattur, Thanjavur District, is directed to consider the representation of the petitioner, dated 31.07.2017 and to give permission and to provide police protection for orchestra (Adal Padal Program) in the name of "Dr.Madurai Chandran Nattupuram Gramiya Adal Padal function" on 07.08.2017 in connection with a festival in Sree Selva Vinayaga Sree Veerakaliyamman, Sree Ayyanar, Sree Muneeshwarar, Sree Peedariamman Temple, Papanasam Taluk, Thanjavur District, satisfying the place which is after considering the sentiment of the villagers and any other relevant practice, scheduled to be held on 07.08.2017, subject to the following conditions;

(a) the orchestra (Adal Padal Program) in the name of "Dr.Madurai Chandran Nattupuram Gramiya Adal Padal function" on 07.08.2017 in connection with a festival in Sree Selva Vinayaga Sree Veerakaliyamman, Sree Ayyanar, Sree Muneeshwarar, Sree Peedariamman Temple, Papanasam Taluk, Thanjavur District, scheduled to be held on 07.08.2017,, 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.

7. 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, Melattur Police Station,
Melattur, Thanjavur District.

+1CC to Mr.K.Sivabalan, Advocate, SR.No.70517

W.P.(MD) No. 14492 of 2017
03.08.2017

cp/dsk

AM/MMS/SAR 1/04.08.2017/3P/3C