



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.08.2017

CORAM

THE HON'BLE MR.JUSTICE **S.S.SUNDAR**W.P.(MD) No.14753 of 2017

K.Chakravarthy

... Petitioner

-Vs-

The Inspector of Police,
Vaiyampatti Police Station,
Trichy District-621 315.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to give police protection to conduct cultural programme (Music and Dance) on 13.08.2017 during the temple festival of Arulmigu Kathayee Amman Temple situated at Valayapatti Village and Post, Manapparai Taluk, Trichy District by considering the representation of the petitioner dated 03.08.2017.

For Petitioner : Mr.S.Sekar
For Respondents : Mr.A.K.Baskarapandiyan,
Special Government Pleader.

O R D E R

This Writ petition is filed for issuing a Writ of Mandamus, directing the respondent to give police protection to conduct cultural programme (Music and Dance) on 13.08.2017 during the temple festival of Arulmigu Kathayee Amman Temple situated at Valayapatti Village and Post, Manapparai Taluk, Trichy District by considering the representation of the petitioner dated 03.08.2017.

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 villagers jointly decided to conduct "Adal Padal" programme on 13.08.2017, in connection with the temple festival of Arulmigu Kathayee Amman Temple situated at Valayapatti Village and Post, Manapparai Taluk, Trichy District. He further submitted that in this connection, a representation was given to the respondent on 03.08.2017, 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. Though the petitioner has made representation seeking permission to conduct the programme, namely Adal Padal on 13.08.2017 and in the affidavit filed in support of the petition, does not refer to the



programme, namely Adal Padal proposed to be conducted by the temple. Hence, the learned counsel for the petitioner requested that the prayer in the Writ Petition may be considered as one for permission to conduct the programme, namely Adal Padal.

4. The learned Special Government Pleader appearing for the respondent submitted that this Court may grant permission for "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 respondent/The Inspector of Police, Vaiyampatti Police Station, Trichy District, is directed to consider the representation of the petitioner, dated 03.08.2017 and to give permission and to provide police protection for "Adal Padal" programme in connection with the temple festival of Arulmigu Kathayee Amman Temple situated at Valayapatti Village and Post, Manapparai Taluk, Trichy District, scheduled to be held on 13.08.2017, subject to the following conditions;

*(a) the "Adal Padal" programme in connection with the temple festival of Arulmigu Kathayee Amman Temple situated at Valayapatti Village and Post, Manapparai Taluk, Trichy District, scheduled to be held on 13.08.2017 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 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.

WEB COPY

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

The Inspector of Police,
Vaiyampatti Police Station,
Trichy District-621 315.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No.71987
+1cc to Mr.S.SEKAR Advocate in SR. No.71468

MYR/SML
JS/MMS/SAR.4/11.08.2017/3P-4C

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