



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.08.2017

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

W.P.(MD) No.15039 of 2017

S.Sathaiya

... Petitioner

-Vs-

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

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

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to grant permission and necessary police protection to perform the cultural programme (i.e.,) "Dance Programme" on 15.08.2017 at 07.00 p.m. to 12.00 a.m. in the festival of "Arulmigu Sri Kannan Thirukovil Krishna Jeyanthi Thiruvizha" at Meiyanenthal, Ilayankudi Taluk, Sivagangai District.

For Petitioner : Mr.V.Manikandan

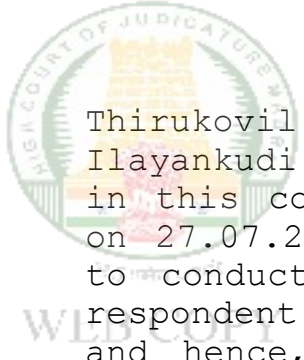
For Respondents: Mr.A.K.Baskarapandiyan,
Special Government Pleader.

O R D E R

This Writ petition is filed for issuing a Writ of Mandamus seeking a direction to the respondents to grant permission and necessary police protection to perform the cultural programme (i.e.,) "Dance Programme" on 15.08.2017 at 07.00 p.m. to 12.00 a.m. in the festival of "Arulmigu Sri Kannan Thirukovil Krishna Jeyanthi Thiruvizha" at Meiyanenthal, Ilayankudi 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.gov.in/hcservices> 3. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct the "Dance Programme" on 15.08.2017 in connection with the "Arulmigu Sri Kannan



Thirukovil Krishna Jeyanthi Thiruvizha" at Meiyanenthal, Ilayankudi Taluk, Sivagangai 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 respondents submitted that this Court may grant permission for "Dance 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, Ilayankudi Police Station, Sivagangai District, is directed to consider the representation of the petitioner, dated 27.07.2017 and to give permission and to provide police protection for "Dance Programme" in connection with the "Arulmigu Sri Kannan Thirukovil Krishna Jeyanthi Thiruvizha" at Meiyanenthal, Ilayankudi Taluk, Sivagangai District, scheduled to be held on 15.08.2017, subject to the following conditions;

(a) the "Dance Programme" in connection with the "Arulmigu Sri Kannan Thirukovil Krishna Jeyanthi Thiruvizha" at Meiyanenthal, Ilayankudi Taluk, Sivagangai District, scheduled to be held on 15.08.2017 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.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar.

To

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

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

+1CC to Mr. V. Manikandan, Advocate, SR.No.71940

+1CC to the Special Government Pleader SR.No.72389

W.P. (MD) No. 15039 of 2017
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gsp/dss

AM/SV AA/SAR 1/11.08.2017/3P/5C