



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.08.2017

CORAM

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

W.P. (MD) No.15137 of 2017

WEB COPY

R.Senraju

... Petitioner

-Vs-

1.The Commissioner of Police,
Madurai City, Madurai.

2.The Inspector of Police,
C-3 Police Station,
S.S.Colony,
Madurai - 10

... 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 protection for Adal Padal program perform by "Vijay TV Pugal Madurai Guru Abinaya Dance Group" in "Vinayagar Sathurthi Thiruvizha" scheduled to be held on 25.08.2017 at 09.00 p.m., at Arulmigu Sri Raja Ganapathy Thirukovil at HMS Colony, Theni Main Road, Madurai by considering the petitioner's representation, dated 08.08.2017.

For Petitioner : Mr.R.Karthic Rajan

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

O R D E R

The petitioner has come forward with this Writ Petition for issuance of a Writ of Mandamus seeking a direction to the respondents to grant permission and protection for Adal Padal program perform by "Vijay TV Pugal Madurai Guru Abinaya Dance Group" in "Vinayagar Sathurthi Thiruvizha" scheduled to be held on 25.08.2017 at 09.00 p.m., at Arulmigu Sri Raja Ganapathy Thirukovil at HMS Colony, Theni Main Road, Madurai by considering the petitioner's representation, dated 08.08.2017.

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

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

3. The learned counsel for the petitioner submitted that the



villagers jointly decided to conduct "Adal Padal" dance programme on 25.08.2017 at 09.00 p.m. in connection with a festival in "Vijay TV Pugal Madurai Guru Abinaya Dance Group" in "Vinayagar Sathurthi Thiruvizha" at Arulmigu Sri Raja Ganapathy Thirukovil situated at HMS Colony, Theni Main Road, Madurai. He further submitted that in this connection, a representation was given to the respondents on 08.08.2017, 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.

4. The learned Special Government Pleader appearing for the respondent 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, C-3 Police Station, S.S.Colony, Madurai., is directed to consider the representation of the petitioner, dated 08.08.2017 and to give permission and to provide police protection for "Adal Padal" programme in connection with "Vijay TV Pugal Madurai Guru Abinaya Dance Group" in "Vinayagar Sathurthi Thiruvizha", at Arulmigu Sri Raja Ganapathy Thirukovil situated at HMS Colony, Theni Main Road, Madurai scheduled to be held on 25.08.2017 at 09.00, subject to the following conditions;

*(a) the "Adal Padal" programme in connection with the "Vijay TV Pugal Madurai Guru Abinaya Dance Group" in "Vinayagar Sathurthi Thiruvizha" , scheduled to be held on 25.08.2017 at 09.00 p.m. 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 third 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.

7. With the above direction, the Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1.The Commissioner of Police,
Madurai City, Madurai.

2.The Inspector of Police,
C-3 Police Station,
S.S.Colony, Madurai-10.

+1cc to Mr.R.Karthic, Advocate, SR.72220

+1cc to M/S.Special Government Pleader, SR.72574

W.P.(MD) No. 15137 of 2017
11.08.2017

LS/TRP

KK/SV MMS/SAR3-22.08.2017-3P-5C