



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.08.2017

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) No.15164 of 2017

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G.Senthurpandian Nadar

... Petitioner

-Vs-

State represented by
The Inspector of Police
Meignanapuram Police Station,
Thoothukudi District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondent to permit the petitioner to conduct the cultural function viz., Adal Padal during the temple festival of Veappakadu Arulmigu Mutharaamman Temple Veappakadu Keazha Ramasampuram Post, Thiruchendur Taluk Thoothukudi District on 25.08.2017 between 7.00 PM and 12.00 PM and further direct the respondent to give adequate police protection for the above said programme.

For Petitioner : Mr.K.Veilmuthu
For Respondents : Mr.A.K.Baskarapandian
Special Government Pleader.

O R D E R

This Writ Petition has been filed seeking for the issuance of a Writ of Mandamus, directing the respondent to permit the petitioner to conduct the cultural function viz., "Adal Padal programme" during the temple festival of Veappakadu Arulmigu Mutharaamman Temple Veappakadu Keazha Ramasampuram Post, Thiruchendur Taluk Thoothukudi District on 25.08.2017 between 7.00 PM and 12.00 PM and further direct the respondent to give adequate police protection for the above said programme.

2. The learned counsel for the petitioner would submit that the villagers jointly decided to conduct "Aadal Paadal programme" on 25.08.2017 between 7.00 pm to 12.00 pm in connection with the temple festival of Veappakadu Arulmigu Mutharaamman Temple Veappakadu Keazha Ramasampuram Post, Thiruchendur Taluk Thoothukudi District. He would further submit that in this connection, representations were given to the respondent 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.



3. The learned Special Government Pleader appearing for the respondents would submit that this Court may grant permission for "Aadal Paadal programme" with stringent conditions. He would further submit that there is no adverse report against the Petitioner in conducting the "Aadal Paadal programme."

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

5. Taking into consideration the facts of the present case and the fact that such programmes are being organized and conducted in every villages all over the state, preventing the petitioner from conducting such programme in this particular village will amount to discrimination. Hence this Court is inclined to pass the following direction:-

"The respondent / The Inspector of Police, Meignanapuram Police Station, Thoothukudi district, is directed to consider the representation of the petitioner, dated 08.08.2017 and to give permission and to provide police protection for "Aadal Paadal programme" on 25.08.2017 in connection with the temple festival of Veappakadu Arulmigu Mutharaamman Temple Veappakadu Keazha Ramasampuram Post, Thiruchendur Taluk Thoothukudi District, subject to the following conditions;

(a) The "Aadal Paadal programme" in connection with the temple festival of Veappakadu Arulmigu Mutharaamman Temple Veappakadu Keazha Ramasampuram Post, Thiruchendur Taluk Thoothukudi District, shall be completed before 10.30 p.m on 25.08.2017.

(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;

Similarly, the Police is empowered to stop the dance 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. The respondent concerned is directed to issue necessary permission, incorporating the above conditions and ensure the observance of the conditions to maintain public order and tranquillity. It is open to the respondent to take appropriate action in the event of non-observance of the conditions stipulated. With the above directions, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

The Inspector of Police
Meignanapuram Police Station,
Thoothukudi District.

+1cc to M/S.K.Veilmuthu, Advocate SR.No. 72172
+1cc to Special Government Pleader, SR.No. 72573

W.P.(MD) No. 15164 of 2017
11.08.2017

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