

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 11.08.2017

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

W.P.(MD) No.15281 of 2017

V.Peramaiyan

... Petitioner

-Vs-

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

2. The Inspector of Police,
Thiruvonam Police Station,
Thanjavur 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.) Adal Padal dance programme on 15.08.2017 and 16.08.2017 at 7.00 p.m to 11.00 p.m in the festival of Arulmighu Sri Sithi Vinayagar Thirukovil Krishna Jeyanthi Thiruvizha at Siva Viduthi, Orathanadu Taluk, Kaduvetti Viduthi post, Thanjavur 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) Adal Padal dance programme on 15.08.2017 and 16.08.2017 at 7.00 p.m to 11.00 p.m in the festival of Arulmighu Sri Sithi Vinayagar Thirukovil Krishna Jeyanthi Thiruvizha at Siva Viduthi, Orathanadu Taluk, Kaduvetti Viduthi post, Thanjavur District.

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" dance programme on 15.08.2017 and 16.08.2017 at 7.00 p.m to 11.00 p.m in the festival of Arulmighu Sri Sithi Vinayagar Thirukovil Krishna Jeyanthi Thiruvizha at Siva Viduthi, Orathanadu Taluk, Kaduvetti Viduthi post, Thanjavur District. He further submitted that in this connection, a representation was given to the second respondent on 04.08.2017, 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, Thiruvonam Police Station, Thanjavur District, is directed to consider the representation of the petitioner, dated 04.08.2017 and to give permission and to provide police protection for "Adal Padal" programme in connection with "Aadi" festival in " Arulmighu Sri Sithi Vinayagar Thirukovil Krishna Jeyanthi Thiruvizha at Siva Viduthi, Orathanadu Taluk, Kaduvetti Viduthi post, Thanjavur District, scheduled to be held on 15.08.2017 and 16.08.2017, subject to the following conditions;

(a) the "Adal Padal" programme in connection with the "Aadi" festival in " Arulmighu Sri Sithi Vinayagar Thirukovil Krishna Jeyanthi Thiruvizha at Siva Viduthi, Orathanadu Taluk, Kaduvetti Viduthi post, Thanjavur District, scheduled to be held on 15.08.2017 and 16.08.2017 and it 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;

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(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.

No costs.

6. The petitioner shall pay a cost of Rs.2,500/- (Rupees Two Thousand and Five Hundred only) to the credit of the Hon'ble Chief Justice Relief Fund, Madurai Bench of Madras High Court, Madurai, by today before 4.30 p.m, failing which, the order copy shall not be furnished today.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

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

2. The Inspector of Police,
Thiruvonam Police Station,
Thanjavur District.

Copy to:

The Section Officer, Accounts Section,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S. V.MANIKANDAN, Advocate, SR.No.72245.

W.P. (MD) No. 15281 of 2017
11.08.2017