



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:16.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P. (MD) No.15333 of 2017

WEB COPY

P.Muniyandi

... Petitioner

Vs.

The Inspector of Police,
Annavaasal Police Station,
Annavaasal,
Puthukottai District.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondent to grant permission and to perform the dance programme Aadal Padal from 07.00 pm to 12.30 pm at Arulmighu Sree Adaikalam Katha Ayyanar Kovil at Mannavealampatti Village, Mangudi Post, Eluppur Taluk Puthukottai District scheduled to be held on 20.08.2017 and to provide adequate police protection.

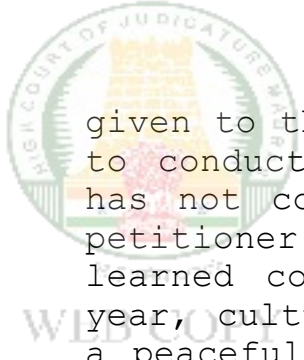
For Petitioner	: Mr.P.Veerapandian
For Respondents	: Mr.N.S.Karthikeyan
	Additional Government Pleader

O R D E R

This Writ Petition has been filed seeking for the issuance of a Writ of Mandamus, directing the respondent to grant permission and to perform the dance programme Aadal Padal from 07.00 pm to 12.30 pm at Arulmighu Sree Adaikalam Katha Ayyanar Kovil at Mannavealampatti Village, Mangudi Post, Eluppur Taluk Puthukottai District scheduled to be held on 20.08.2017 and to provide adequate police protection.

2.Heard Mr.P.Veerapandian, the learned counsel appearing for the petitioner and Mr.N.S.Karthikeyan, the learned Additional Government Pleader appearing for the respondent.

3.The learned counsel for the petitioner would submit that there is a temple called "Arulmighu Sri Adaikalam Katha Ayyanar Kovil at Mannavealampatti Village, Mangudi Post, Eluppur Taluk, Pudukkottai District. He is one of the members of the Festival Committee of the said temple. Every year, festival is conducted in the said temple with cultural programmes. This year, temple festival is proposed to be celebrated on 20.08.2017. In view of the fact that a Cultural Programme is scheduled to be conducted on that day. In this connection, a representation, dated 10.08.2017 was



given to the respondent police, with a request to grant permission to conduct Aadal Padal program. However, the respondent Police has not considered the request of the petitioner and hence, the petitioner is before this Court with this Writ Petition. The learned counsel for the petitioner further submitted that every year, cultural programmes in the temple festival are conducted in a peaceful manner by the villagers and there will be no untoward incident by the people of the village.

4.The learned Additional Government Pleader appearing for the respondents would submit that permission may be granted subject to stringent conditions.

5.Considering the fact that the "Aadal Padal" programme or even other programmes relating to the temple festivals are being permitted through out the State, subject to usual conditions, denying permission to the petitioner will amount to discrimination. Hence, taking into consideration the submission made by the learned Additional Government Pleader for the respondents, this Court is inclined to issue the following directions:

The respondent/The Inspector of Police, Annavasal Police Station, Annavasal, Pudukkottai District, is directed to consider the representation of the petitioner, dated 10.08.2017 and to give permission and to provide police protection for "Aadal Padal" programme in connection with a festival in Arulmigu Sri Adaikalam Katha Ayyanar kovil at Mannavalampatti Village, Mangudi post, Eluppur Taluk, Pudukkottai District, scheduled to be held on 20.08.2017, subject to the following conditions;

(a) the "Aadal Padal" programme in connection with a festival in Arulmigu Sri Adaikalam Katha Ayyanar kovil situated at Mannavalampatti Village, Mangudi post, Eluppur Taluk, Pudukkottai District, scheduled to be held on 20.08.2017, should be completed before 10.30 p.m.

(b) double meaning songs should not be played so as to spoil the minds of students and the youth;

(c) no songs, touching upon any political party or religion, community or caste be played;

(d) no flex boards in support of any political party or religious leader be erected;

(e) the function should not affect either religious or communal harmony and shall be conducted without any discrimination based on caste;

(f) 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;

(g) similarly, the Police is empowered to stop the programme, if it exceeds beyond the permitted time;

(h) the participants of the programme shall not intake any kind of in-toxic substance or liquor during the programme; and

(i) if any untoward incident takes place, the organizers of the programme be made responsible for the same.

8. 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.

9. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

The Inspector of Police,
Annavaasal Police Station,
Annavaasal,
Puthukottai District.

+1cc to Mr. P. VEERAPANDIAN, Advocate, SR.72493

+1cc to M/S. Special Government Pleader, SR.72664

W.P. (MD) No. 15333 of 2017
16.08.2017

VS

KK/SV MMS/SAR4-18.08.2017-3P-4C