



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:17.08.2017

CORAM

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

W.P.(MD) No.15393 of 2017

WEB COPY

Chandrasekar

... Petitioner

-Vs-

The Inspector of Police,
Aruppukkottai Taluk Police Station,
Aruppukkottai, Virudhunagar District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to grant permission to perform the program of "Adal Padal" on 26.08.2017 night at about 08.00 pm to 12.00 am at Arulmigu Anantha Vinayagar Thirukovil is situated at Sempatti, Aruppukkottai Taluk, Virudhunagar District and to provide adequate police protection based on the petitioner's representation dated 11.08.2017.

For Petitioner : Mr.S.Bharathi

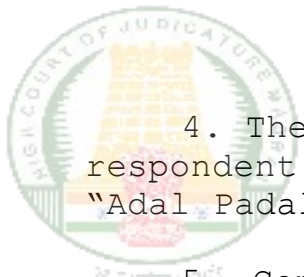
For Respondent : Mr.S.Sadhishkumar
Additional Government Pleader.

ORDER

This Writ petition is filed for issuing a Writ of Mandamus directing the respondent to grant permission to perform the program of "Adal Padal" on 26.08.2017 night at about 08.00 pm to 12.00 am at Arulmigu Anantha Vinayagar Thirukovil is situated at Sempatti, Aruppukkottai Taluk, Virudhunagar District and to provide adequate police protection based on the petitioner's representations dated 11.08.2017.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondent.

3. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Adal Padal" programme on 26.08.2017 in connection with a festival in Arulmigu Anantha Vinayagar Thirukovil is situated at Sempatti, Aruppukkottai Taluk, Virudhunagar District. He further submitted that in this connection, a representation was given to the respondent on 11.08.2017, 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 the petitioner is before this Court with this Writ Petition.



4. The learned Additional 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 respondent/The Inspector of Police, Aruppukkottai Taluk Police Station, Aruppukkottai, Virudhunagar District, is directed to consider the representation of the petitioner, dated 11.08.2017 and to give permission and to provide police protection for "Adal Padal" programme in connection with a festival in Arulmigu Anantha Vinayagar Thirukovil is situated at Sempatti, Aruppukkottai Taluk, Virudhunagar District, scheduled to be held on 26.08.2017, subject to the following conditions;

(a) the "Adal Padal" programme in connection with the a festival in "Arulmigu Anantha Vinayagar Thirukovil is situated at Sempatti, Aruppukkottai Taluk, Virudhunagar District, scheduled to be held on 26.08.2017 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

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.

/True copy/

Sd/-
Assistant Registrar

Sub Assistant Registrar

To

The Inspector of Police,
Aruppukkottai Taluk Police Station,
Aruppukkottai, Virudhunagar District.
+1cc to M/s.S.Bharathi, Advocate, SR.72829
+1cc to M/S.Special Government Pleader, SR. 73190

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