

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 18.08.2017****CORAM**

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**THE HONOURABLE MR.JUSTICE S.S.SUNDAR****W.P. (MD) No.15457 of 2017**

R.Sakthivel

... Petitioner

-Vs-

The Inspector of Police  
Radhapuram Police Station,  
Tirunelveli 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 25.08.2017 night at about 07.00 pm to 12.30 am at Arulmigu Sri Sudalaimalai Andavar Thirukovil situated in Muthu Nadar Kudiyeruppu village, Radhapuram Taluk, Tirunelveli district and to provide adequate police protection based on the petitioner's representation dated 08.08.2017.

For Petitioner : Mr.P.Veerapandian

For Respondents : Mr.S.Sadhishkumar  
Additional Government Pleader.**O R D E R**

This Writ Petition has been filed seeking a Writ of Mandamus, to direct the respondent to grant permission to perform "Adal padal" programme on 25.08.2017 from 07.00 pm to 12.30 am in connection with the festival at Arulmigu Sri Sudalaimalai Andavar Thirukovil at Muthu Nadar Kudiyeruppu village, Radhapuram Taluk, Tirunelveli district and to provide adequate police protection based on the petitioner's representations dated 08.08.2017.

2. The learned counsel for the petitioner would submit that the villagers jointly decided to conduct "Adal Padal" programme in connection with the festival at Arulmigu Sri Sudalaimalai Andavar Thirukovil at Muthu Nadar Kudiyeruppu village, Radhapuram Taluk, Tirunelveli district. He would further submit that in this connection, a representation was 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 Additional Government Pleader appearing for the respondents would submit that this Court may grant permission for "Adal Padal" programme with stringent conditions. He would further submit that there is no adverse report against the Petitioner in conducting the "Adal Padal" programme.

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

5. Taking into consideration the facts of the present case and the fact that such programmes are being organized and conducted in every village 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, Radhapuram Police Station, Tirunelveli District, 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 on 25.08.2017 in connection with the festival at Arulmigu Sri Sudalaimalai Andavar Thirukovil at Muthu Nadar Kudiyeruppu village, Radhapuram Taluk, Tirunelveli district, subject to the following conditions;*

*(a) The "Adal Padal" programme scheduled to be held on 25.08.2017, connection with the festival at Arulmigu Sri Sudalaimalai Andavar Thirukovil at Muthu Nadar Kudiyeruppu village, Radhapuram Taluk, Tirunelveli 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;

(h) 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 always 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  
Radhapuram Police Station,  
Tirunelveli District.

+1cc to Mr.P.Veerapandian, Advocate Sr.No.73671  
+1cc to Spl.Government Pleader Sr.No.73467

RMK/CMR

VB/SKN/RSK/SAR1/24.08.2017/3P/4C

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**18.08.2017**