

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

DATED: 18.08.2017

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR**W.P. (MD) No.15465 of 2017**

Veeramalai

... Petitioner

-Vs-

The Inspector of Police,
Somarasampettai Police Station,
Tiruchirappalli District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondent herein to give permission and protection for the 60 years of Periya Gandhiamman Kovil Festival, Thayanoor Village, Somarasampattai, Tiruchirappalli District and "Aadal Padal" programme on 24.08.2017 between 08.00 PM and 12.00 AM.

For Petitioner : Mr.K.S.Praveenkumar
For Respondent : Mr.S.Sadhishkumar
Additional Government Pleader.

O R D E R

This Writ petition has been filed for issuance of a Writ of Mandamus seeking a direction to the respondent herein to give permission and protection for the 60 years of Periya Gandhiamman Kovil Festival, Thayanoor Village, Somarasampettai, Tiruchirappalli District and "Aadal Padal" programme on 24.08.2017 between 08.00 PM and 12.00 AM.

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 the "Aadal Padal" Programme on 24.08.2017 at 08.00 PM to 12.00 AM in connection with the 60 years of Periya Gandhiamman Kovil Festival, Thayanoor Village, Somarasampettai, Tiruchirappalli District. He further submitted that in this connection, a representation was given to the respondent on 16.08.2017 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 Additional Government Pleader appearing for the respondent submitted that this Court may grant permission for "Aadal 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, Somarasampettai Police Station, Tiruchirappalli District, is directed to consider the representation of the petitioner, dated 16.08.2017 and to give permission and to provide police protection for "Aadal Padal" Programme in connection with the 60 years of Periya Gandhiamman Kovil Festival, Thayanoor Village, Somarasampettai, Tiruchirappalli District, scheduled to be held on 24.08.2017, subject to the following conditions;

(a) the "Aadal Padal" Programme in connection with the 60 years of Periya Gandhiamman Kovil Festival, Thayanoor Village, Somarasampettai, Tiruchirappalli District, scheduled to be held on 24.08.2017, 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

(j) if any untoward incident takes place, the participants 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.

Sd/-
Assistant Registrar()

/True Copy/

Sub Assistant Registrar

To

The Inspector of Police,
Somarasampettai Police Station,
Tiruchirappalli District.

+1cc to M/S. K.S.PRAVEEN KUMAR, Advocate, SR.No.73041.

+1cc to Special Government Pleader, SR.No.73472.

W.P.(MD) No. 15465 of 2017
18.08.2017

cmr/rmk
SDS/SV:MMS/SAR 3/22.08.2017/3P/4C