



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. 15551 of 2017

M.Murugesan

... Petitioner

-Vs-

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

2.The Sub Inspector of Police,
Moolaikaraipatti Police Station,
Thirunelveli.

... 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 (ie.,) Adal Padal Dance Programme on 30.08.2017 at 06.00 p.m. to 11.00 p.m. in the festival of Sri Mutharamman Thirukovil Thiruvizha at Keerankulam, Munainjipatti Post, Nanguneri, Tirunelveli District.

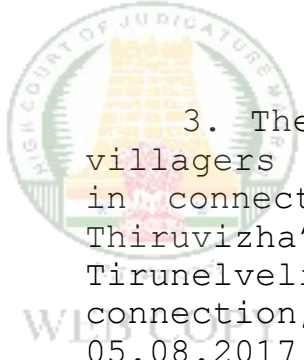
For Petitioner : Mr.V.Manikandan

For Respondents : Mr.S.Sadhishkumar,
Additional Government Pleader.

O R D E R

The petitioner has come forward with this Writ Petition for issuance of a Writ of Mandamus seeking a direction to the respondents to grant permission and necessary police protection to perform the cultural programme (ie.,) Adal Padal Dance Programme on 30.08.2017 at 06.00 p.m. to 11.00 p.m. in the festival of Sri Mutharamman Thirukovil Thiruvizha at Keerankulam, Munainjipatti Post, Nanguneri, Tirunelveli District.

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



3. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Aadal Padal" on 30.08.2017 in connection with a festival in "Sri Mutharamman Thirukovil Thiruvizha" at Keerankulam, Munainjipatti Post, Nanguneri, Tirunelveli District. He further submitted that in this connection, a representation was given to the respondent on 05.08.2017, with a request to grant permission and protection to conduct the programmes on the above said date. However, the respondent has not taken any action in this regard. Hence, the petitioner is before this Court with this Writ Petition.

4. The learned Additional Government Pleader appearing for the respondents on instructions submitted that this Court may grant permission for "Aadal Padal" subject to stringent conditions.

5. Considering the facts and circumstances of the case, Writ petition is allowed with the following direction:-

The second respondent / The Sub Inspector of Police, Moolaikaraipatti Police Station, Tirunelveli District, is directed to consider the representation of the petitioner, dated 05.08.2017 and to give permission and to provide police protection for "Aadal Padal" in connection with a festival in "Sri Mutharamman Thirukovil Thiruvizha" at Keerankulam, Munainjipatti Post, Nanguneri, Tirunelveli District, subject to the following conditions;

(a) the "Aadal Padal" in connection with a festival in "Sri Mutharamman Thirukovil Thiruvizha" at Keerankulam, Munainjipatti Post, Nanguneri, Tirunelveli District, should be completed before 10.30 p.m. or within the time permitted by the second respondent.

(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



(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.

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(Writs)

/True Copy/

Sub Assistant Registrar.

To

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

2.The Sub Inspector of Police,
Moolaikaraipatti Police Station,
Thirunelveli.

+1CC to Mr.V.Manikandan, Advocate, SR.No.73078

+1CC to the Special Government Pleader SR.No. 73491

W.P.(MD) No. 15551 of 2017
18.08.2017

rmk/cmr

AM/SV MMS/SAR 4/29.08.2017/3P/5C