



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.08.2017

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

W.P.(MD) No.15727 of 2017

R.Chinnasamy

... Petitioner

**-Vs-**

The Inspector of Police,  
R.S.Mangalam Police Station,  
Ramanathapuram 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 27.08.2017 night at about 08.00 PM to 12.00 AM at Arulmigu Sri Muthumariamman Thirukovil, is situated at Thuckanankarai, Radhanur Post, Thiruvadanai Taluk, Ramanathapuram District and to provide adequate police protection based on the petitioner's representation dated 17.08.2017.

For Petitioner : Mr.S.Bharathi  
For Respondents : Mr.A.K.Baskarapandiyan,  
Special Government Pleader.

### **O R D E R**

This Writ petition is filed for issuing a Writ of Mandamus seeking a direction to the respondent to grant permission to perform the program of "Adal Padal" on 27.08.2017 night at about 08.00 PM to 12.00 AM at Arulmigu Sri Muthumariamman Thirukovil, is situated at Thuckanankarai, Radhanur Post, Thiruvadanai Taluk, Ramanathapuram District and to provide adequate police protection based on the petitioner's representation dated 17.08.2017.

2. Heard the learned counsel appearing for the petitioner and the learned Special 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 27.08.2017 in connection with Arulmigu Sri Muthumariamman Thirukovil, at Thuckanankarai, Radhanur Post, Thiruvadanai Taluk, Ramanathapuram District. He further submitted that in this connection, a representation was given to the respondent on



17.08.2017, 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 Special Government Pleader appearing for the respondent on instructions submitted that the area, in which permission is sought for, is reported as communal sensitive and that therefore there is likely hood of some law and order problem. He further fairly submitted that there was no untoward incidents in the past. In such circumstances this Court is of the view that denying permission will amount to discrimination, especially there is no valid reason to reject the permission to the petitioner.

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, R.S.Mangalam Police Station, Ramanathapuram District, is directed to consider the representation of the petitioner, dated 17.08.2017 and to give permission and to provide police protection for "Adal Padal" programme in connection with Arulmigu Sri Muthumariamman Thirukovil, at Thuckanankarai, Radhanur Post, Thiruvadanai Taluk, Ramanathapuram District, scheduled to be held on 27.08.2017, subject to the following conditions;*

*(a) the "Adal Padal" programme in connection with the " Arulmigu Sri Muthumariamman Thirukovil, Thuckanankarai, Radhanur Post, Thiruvadanai Taluk, Ramanathapuram District, scheduled to be held on 27.08.2017 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 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 (T&P)

/True Copy/

Sub Assistant Registrar

**To**

The Inspector of Police,  
R.S.Mangalam Police Station,  
Ramanathapuram District.

+ 1 CC TO Mr.S.BHARATHI, ADVOCATE IN SR No. 74138

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TE/SKN-RSK/SAR-II : 24/08/2017 : 3P/3C

W.P.(MD) No. 15727 of 2017  
23.08.2017