



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.15909 of 2017

M.Chithraivel

... Petitioner

-Vs-

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

2.The Inspector of Police,
Karur Police Station,
Pudukottai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider petitioner's representations dated 14.08.2017 and 21.08.2017 and to grant permission and protection for conducting Aadal Padal Programme on 29.08.2017 at 09.00 p.m., in the part of festival of Aavani Matha Pongal Thiruvizha at Arul Migu Sri Uttchi Kannaiah Thiru Koil, Karur (Melakottai) Pudukottai District.

For Petitioner : Mr.R.Karthick Sevuga Perumal

For Respondents : Mr.A.K.Baskarapandiyan,
Special 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 respondents to consider petitioner's representation dated 14.08.2017 and to grant permission and protection for conducting Aadal Padal Programme on 29.08.2017 at 09.00 p.m., in the part of festival of Aavani Matha Pongal Thiruvizha at Arul Migu Sri Uttchi Kannaiah Thiru Koil, Karur (Melakottai) Pudukottai District.

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

<https://hcservices.courts.gov.in/hcservices> 3.The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Aadal Padal" programme on 29.08.2017 in connection with "Aavani Matha Pongal" festival in



"Arul Migu Sri Uttchi Kannaiah Thiru Koil", at Karur(Melakottai), Pudukottai District. He further submitted that in this connection, a representation was given to the respondent on 14.08.2017 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 representations and hence, the petitioner is before this Court with this Writ Petition.

4. The learned Special Government Pleader appearing for the respondents 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 second respondent/The Inspector of Police, Karur Police Station, Pudukottai District, is directed to consider the representation of the petitioner, 14.08.2017 and to give permission and to provide police protection for "Adal Padal" programme in connection with "Aavani Matha Pongal" festival "Arul Migu Sri Uttchi Kannaiah Thiru Koil", at Karur(Melakottai), Pudukottai District, scheduled to be held on 29.08.2017, subject to the following conditions;

(a) the "Adal Padal" programme in connection with the "Aavani Matha Pongal" festival in "Arul Migu Sri Uttchi Kannaiah Thiru Koil", at Karur(Melakottai), Pudukottai District, scheduled to be held on 29.08.2017 should be completed before 10.30 p.m., or within the time permitted by the respondent police.

(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 the 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(AE)

/True Copy/

Sub Assistant Registrar.

To

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

2.The Inspector of Police,
Karur Police Station,
Pudukottai District.

+1CC to Mr.S.J.Chakkaravarthy, Advocate, SR.No.74079

+1CC to the Special Government Pleader SR.No. 74644

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AM/SV MMS/SAR 3/28.08.2017/3P/5C