



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2017

CORAM

**THE HON'BLE MR.JUSTICE S.S.SUNDAR**W.P. (MD) No.16264 of 2017

WEB COPY

S.Ayyavu

... Petitioner

-Vs-

1.The Superintendent of Police,  
Trichy District, Trichy.2.The Inspector of Police,  
T.Pettai Police Station,  
T.Pettai, Musiri Taluk,  
Trichy District.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to give the permission and adequate police protection for conducting Adal Padal Dance programme on 10.09.2017 in the eve of Aavani Pongal Festival in front of Arulmigu "Sri Mahaganapathy, Sri Selvamuthumariyamman and Sri Karuppannasamy" temple belongs to Melatheru, T.Pettai, Musiri Taluk, Trichy District on the basis of the petitioner's representation, dated 26.08.2017.

For Petitioner : Mr.K.Arunraj

For Respondents : Mr.S.Sadhish Kumar,  
Additional Government Pleader.

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**ORDER**

This Writ petition is filed for issuing a Writ of Mandamus directing the respondents to give permission and adequate police protection for conducting "Adal Padal" Dance programme on 10.09.2017 in the eve of "Aavani Pongal" festival in front of "Arulmigu Sri Mahaganapathy, Sri Selvamuthumariyamman and Sri Karuppannasamy" temple belongs to Melatheru, T.Pettai, Musiri Taluk, Trichy District, on the basis of petitioner's representation, dated 26.08.2017.

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

<https://hcservices.courts.tn.in/hcservices>  
The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Adal Padal" programme on 10.09.2017 in connection with "Aavani Pongal" festival in "Arulmigu



Sri Mahaganapathy, Sri Selvamuthumariyamman and Sri Karuppannasamy" temple belongs to Melatheru, T.Pettai, Musiri Taluk, Trichy District. He further submitted that in this connection, a representation was given to the second respondent on 26.08.2017, with a request to grant permission and protection to conduct the programme on the above said date. However, the second 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 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, T.Pettai Police Station, T.Pettai, Musiri Taluk, Trichy District, is directed to consider the representation of the petitioner, dated 26.08.2017 and to give permission and to provide police protection for "Adal Padal" programme in connection with "Aavani pongal" festival in "Arulmigu Sri Mahaganapathy, Sri Selvamuthumariyamman and Sri Karuppannasamy" temple belongs to Melatheru, T.Pettai, Musiri Taluk, Trichy District, scheduled to be held on 10.09.2017, subject to the following conditions;

(a) the "Adal Padal" programme in connection with the "Aavani Pongal" festival in Arulmigu "Sri Mahaganapathy, Sri Selvamuthumariyamman and Sri Karuppannasamy" temple belongs to Melatheru, T.Pettai, Musiri Taluk, Trichy District, scheduled to be held on 10.09.2017 should be completed before **10.30 p.m.**, or as may be directed by the second 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 second 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

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

2.The Inspector of Police,  
T.Pettai Police Station,  
T.Pettai, Musiri Taluk,  
Trichy District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 75725

+1cc to Mr.K.ARUNRAJ Advocate in SR. No.75464

CP.PMU

JS/JC/SAR.1/5.9.2017/3P-5C

W.P. (MD) No. 16264 of 2017  
30.08.2017