



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 06.09.2017
CORAM

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

W.P.(MD) No.16819 of 2017

Singarajan

... Petitioner

-Vs-

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

2. The Inspector of Police,
Sedapatti Police Station,
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 grant permission and protection for "Sri Arulmigu Muppidari Amman Temple" at Athikaripatti Village, Peraiyur Taluk, Madurai District on 04.10.2017 and for the "Adal Padal Dance" programme on the basis of the representation given by the petitioner dated 24.08.2017 and 04.09.2017.

For Petitioner : Mr.S.Sivaprakash

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

ORDER

This Writ petition is filed for issuing a Writ of Mandamus seeking a direction to the respondents to grant permission and protection for "Sri Arulmigu Muppidari Amman Temple" at Athikaripatti Village, Peraiyur Taluk, Madurai District on 04.10.2017 and for the "Adal Padal Dance" programme on the basis of the representation given by the petitioner dated 24.08.2017 and 04.09.2017.

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

<https://hcservices.ecourts.gov.in/hcservices/>

3. The learned counsel for the petitioner submitted that the



villagers jointly decided to conduct "Adal Padal Dance" programme on 04.10.2017 in connection with a festival in "Sri Arulmigu Muppidari Amman Temple" at Athikaripatti Village, Peraiyur Taluk, Madurai District. He further submitted that in this connection, a representation was given to the respondents on 24.08.2017 and 04.09.2017, 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 respondents submitted that this Court may grant permission for "Adal Padal Dance" 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, Sedapatti Police Station, Madurai District, is directed to consider the representations of the petitioner, dated 24.08.2017 and 04.09.2017 and to give permission and to provide police protection for "Adal Padal Dance" programme in connection with a festival in "Sri Arulmigu Muppidari Amman Temple" at Athikaripatti Village, Peraiyur Taluk, Madurai District, scheduled to be held on 04.10.2017, subject to the following conditions;

*(a) the **"Adal Padal Dance"** programme in connection with the a festival in "Sri Arulmigu Muppidari Amman Temple" at Athikaripatti Village, Peraiyur Taluk, Madurai District, scheduled to be held on 04.10.2017 should be completed before **10.30 p.m** or as may be 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 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(T&P)

/True copy/

Sub Assistant Registrar

To

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

2. The Inspector of Police,
Sedapatti Police Station,
Trichy District.

+1 cc to Mr.S.Sivaprakash , Advocate in SR.No. 77206

+1 cc to The Special Government Pleader in SR.No.77719

dss/trp

AE/SV MMS/SAR1/14.09.2017/3P/5C

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