



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.09.2017

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

W.P. (MD) No.16881 of 2017

WEB COPY

M.Muniasamy

... Petitioner

-Vs-

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Inspector of Police,
Karimedu Police Station,
Madurai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 herein to grant permission to conduct "Adal Padal" programme on 17.09.2017 at about 6.00.p.m. To 11.00 p.m., in Arulmigu Sakthi Kaliyamman Temple situated at Komaspalayam, Melaponnagaram 2nd Street, Aarapalayam, Madurai District, based on my representation dated 30.08.2017.

For Petitioner : Mr.M.Dinesh

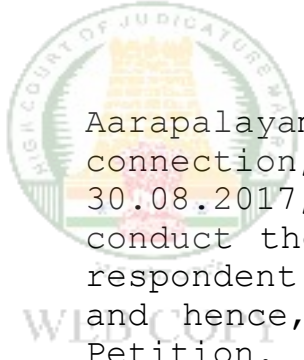
For Respondents : Mr.S.Sadhish Kumar,
Additional Government Pleader.

ORDER

This Writ petition is filed for issuing a Writ of Mandamus, directing the respondents to grant permission and protection for "Adal Padal" programme scheduled to be held on 17.09.2017 in Arulmigu Sakthi Kaliyamman Temple situated at Komaspalayam, Melaponnagaram 2nd Street, Aarapalayam, Madurai District, by considering the petitioner's representation dated 30.08.2017.

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

3. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Adal Padal" programme scheduled to be held on 17.09.2017 in Arulmigu Sakthi Kaliyamman Temple situated at Komaspalayam, Melaponnagaram 2nd Street,



Aarapalayam, Madurai District, He further submitted that in this connection, a representation was given to the respondent on 30.08.2017, 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 respondent 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, Karimedu Police Station, Madurai District, is directed to consider the representation of the petitioner, dated 30.08.2017 and to give permission and to provide police protection for "Adal Padal" in Arulmigu Sakthi Kaliyamman Temple situated at Komasupalayam, Melaponnagaram 2nd Street, Aarapalayam, Madurai District, scheduled to be held on 17.09.2017, subject to the following conditions;

(a) the "Adal Padal" in Arulmigu Sakthi Kaliyamman Temple situated at Komasupalayam, Melaponnagaram 2nd Street, Aarapalayam, Madurai District, scheduled to be held on 17.09.2017, 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 the 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 Commissioner of Police,
Madurai City, Madurai.

2.The Inspector of Police,
Karimedu Police Station, Madurai District.

+1cc to M/S.M.DINESH , Advocate SR.No.77504

+1cc to Special Government Pleader, SR.No. 77944

rmi/lrs

MAS/SV-MMS/SAR3:12.09.2017:3P-5C

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