



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.09.2017

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THE HON'BLE MR.JUSTICE S.S.SUNDARW.P. (MD) No.16885 of 2017

WEB COPY

N.Alagarsamy

... Petitioner

-Vs-

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

2.The Inspector of Police,
C2 Subramaniapuram Police Station,
Subramaniapuram,
Madurai

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to grant permission and protection for "Adal Padal" program perform by "Cini Star Abinaya Dance Group" in "Pongal Urchava Vizha" scheduled to be held on 16.09.2017 at 6.00 p.m., at Arulmigu Sri Muthumariamman Thirukovil at Veeramudiayan 2nd street, Keelamuthupatti, Aadhi Dravidar Street, Madurai by considering the petitioner's representation dated 04.09.2017.

For Petitioner : Mr.R.Karthic Rajan

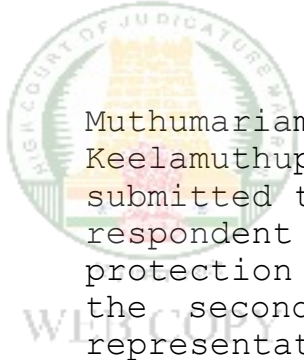
For Respondents : Mr.S.Sadhish Kumar,
Additional Government Pleader.

ORDER

This Writ petition is filed for issuing a Writ of Mandamus, directing the respondents to grant permission and protection for "Adal Padal" program perform by "Cini Star Abinaya Dance Group" in connection with "Pongal Urchava Vizha" scheduled to be held on 16.09.2017 in Arulmigu Sri Muthumariamman Thirukovil at Veeramudiayan 2nd street, Keelamuthupatti, Aadhi Dravidar Street, Madurai, by considering the petitioner's representation dated 04.09.2017.

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 <https://services.aep.org.in/submit> decided to conduct "Aadal Padal" program perform by "Cini Star Abinaya Dance Group" in connection with "Pongal Urchava Vizha" scheduled to be held on 16.09.2017 in Arulmigu Sri



Muthumariamman Thirukovil at Veeramudiayan 2nd street, Keelamuthupatti, Aadhi Dravidar Street, Madurai. He further submitted that in this connection, a representation was given to the respondent on 04.09.2017, 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, C2 Subramaniapuram Police Station, Subramaniapuram, Madurai, is directed to consider the representation of the petitioner, dated 04.09.2017 and to give permission and to provide police protection for "Adal Padal" program perform by "Cini Star Abinaya Dance Group" in connection with "Pongal Urchava Vizha" in Arulmigu Sri Muthumariamman Thirukovil at Veeramudiayan 2nd street, Keelamuthupatti, Aadhi Dravidar Street, Madurai, scheduled to be held on 16.09.2017, subject to the following conditions;

*(a) the "Adal Padal" program perform by "Cini Star Abinaya Dance Group" in connection with "Pongal Urchava Vizha" in Arulmigu Sri Muthumariamman Thirukovil at Veeramudiayan 2nd street, Keelamuthupatti, Aadhi Dravidar Street, Madurai, scheduled to be held on 16.09.2017, 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,
C2 Subramaniapuram Police Station,
Subramaniapuram,
Madurai.

+1cc to Mr.R.KARTHICK RAJAN Advocate in SR. No.77211

RMI/IS

JS/SV.MMS/SAR.3/14.07.2017/3P-4C

W.P.(MD) No.16885 of 2017
07.09.2017