



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.09.2017

CORAM

THE HON'BLE MR.JUSTICE S.S.SUNDARW.P.(MD) No.16970 of 2017

WEB COPY

C.Balasubramanian

... Petitioner

-Vs-

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

2.The Inspector of Police,
Ervadi Police Station,
Ervadi,
Ramanathapuram District.

... 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 necessary permission and provide adequate police protection for conducting "Folk Adal Padal Program" scheduled to be held on 13.09.2017 at about 9.00 p.m to 1.00 a.m at their village by name Komboothi, Ramanathapuram District, as part of 34th Anniversary of "Krishana Jeyanthi" in respect of "Sri Krishna Alayam" Temple on the basis of the representation dated 05.09.2017.

For Petitioner : Mr.T.Indrachithu

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

O R D E R

This Writ petition is filed for issuing a Writ of Mandamus, directing the respondents to grant necessary permission and provide adequate police protection for conducting Folk "Adal Padal" Program scheduled to be held on 13.09.2017 at about 9.00 p.m., to 1.00 a.m., at their village, by name, Komboothi, Ramanathapuram District, as part of 34th Anniversary of "Krishana Jeyanthi" in respect of "Sri Krishna Alayam" Temple, on the basis of the representation dated 05.09.2017.

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 villagers jointly decided to conduct Folk "Adal Padal" programme on 13.09.2017 in connection with a 34th Anniversary of "Krishana Jeyanthi" in "Sri Krishna Alayam" Temple, at Komboothi, Ramanathapuram District. He further submitted that in this connection, a representation was given to the respondents on 05.09.2017, with a request to grant permission and protection to conduct the programme on the above said date. However, the respondents have 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 Folk "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, Ervadi Police Station, Ervadi, Ramanathapuram District, is directed to consider the representation of the petitioner, dated 05.09.2017 and to give permission and to provide police protection for Folk "Adal Padal" programme in connection with a festival in 34th Anniversary of "Krishana Jeyanthi" in "Sri Krishna Alayam" Temple, Komboothi, Ramanathapuram District, scheduled to be held on 13.09.2017, subject to the following conditions;

*(a) the **Folk "Adal Padal"** programme in connection with the a festival in 34th Anniversary of "Krishana Jeyanthi" in "Sri Krishna Alayam" Temple, Komboothi, Ramanathapuram District, scheduled to be held on **13.09.2017** should be completed before **10.30 p.m.**, or as may be permitted 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) there should not be any Flex Boards representing any community or political leaders;

(f) the function should not affect either religious or communal harmony and shall be conducted without any discrimination based on caste;



(i) the participants of the programme shall not intake any kind of in-toxic substance or liquor during the programme; and

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.

/True Copy/

To

2.The Inspector of Police,
Ervadi Police Station,Ervadi,Ramanathapuram District.

+1cc to M/S.T.INDRACHITHU, Advocate SR.No.77536

psd/pmu
MAS/RSK/SAR2:12.09.2017:3P-4C

W.P. (MD) No. 16970 of 2017
08.09.2017