



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.09.2017

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

W.P. (MD) No.16999 of 2017

R.Sakthivel

... Petitioner

-Vs-

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

2. The Inspector of Police,
Manamadurai Police Station,
Sivagangai 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 permission and protection for Adal Padal program perform in "Urchava Vizha" scheduled to be held on 22.09.2017 at Arulmigu Sri Selva Vinayagar Thirukovil at Milaganur Village, Manamadurai Taluk, Sivagangai District by considering the petitioner's representation dated 05.09.2017.

For Petitioner : Mr.R.Karthic Rajan
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 permission and protection for "Adal Padal" program perform in "Urchava Vizha" scheduled to be held on 22.09.2017 at "Arulmigu Sri Selva Vinayagar Thirukovil", at Milaganur Village, Manamadurai Taluk, Sivagangai District, by considering the petitioner's 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 "Adal Padal" programme on 22.09.2017 in connection with "Urchava Vizha" in "Arulmigu Sri Selva Vinayagar Thirukovil", at Milaganur Village, Manamadurai Taluk, Sivagangai District. He further submitted that in this connection, a representation was given to the second respondent on 05.09.2017, 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, Manamadurai Police Station, Sivagangai District, is directed to consider the representation of the petitioner, dated 05.09.2017 and to give permission and to provide police protection for "Adal Padal" programme in connection with "Urchava Vizha" in "Arulmigu Sri Selva Vinayagar Thirukovi", at Milaganur Village, Manamadurai Taluk, Sivagangai District, scheduled to be held on 22.09.2017, subject to the following conditions;

(a) the "Adal Padal" programme in connection with "Urchava Vizha" in "Arulmigu Sri Selva Vinayagar Thirukovil", at Milaganur Village, Manamadurai Taluk, Sivagangai District, scheduled to be held on 22.09.2017 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;

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

1. The Superintendent of Police,
Sivagangai District,
Sivagangai.
2. The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.

+1cc to M/S. R.KARTHICRAJAN, Advocate, SR.No.77559.
+1cc to Special Government Pleader, SR.No.78305.

W.P. (MD) No. 16999 of 2017
08.09.2017

psd/pmu