



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.09.2017

CORAM

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

W.P.(MD) No.17206 of 2017

WEB COPY

S.Esakki

... Petitioner

-Vs-

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

2.The Inspector of Police,
Sathankulam Police Station,
Thoothukudi 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 Adal Padal Program perform in "Kodaivizha" scheduled to be held on 22.09.2017 at Arulmigu Sri Esakkiamman Thirukovil at Yadava Street, Amuthannakudi, Sathankulam, Thoothukudi District by considering the petitioner's representation dated 08.09.2017.

For Petitioner : Mr.R.Karthic Rajan
For Respondents : Mr.A.K.Baskara Pandian,
Additional Government Pleader.

O R D E R

This Writ petition is filed for issuing a Writ of Mandamus seeking a direction to the respondents to grant permission and protection for Adal Padal Program perform in "Kodaivizha" scheduled to be held on 22.09.2017 at Arulmigu Sri Esakkiamman Thirukovil at Yadava Street, Amuthannakudi, Sathankulam, Thoothukudi District by considering the petitioner's representation dated 08.09.2017.

2. Heard the learned counsel appearing for the petitioner and the learned Special 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 "Kodaivizha" in " Arulmigu Sri



Esakkiamman Thirukovil" at Yadava Street, Amuthannakudi, Sathankulam, Thoothukudi District. He further submitted that in this connection, a representation was given to the second respondent on 08.09.2017, 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 second representation and hence, the petitioner is before this Court with this Writ Petition.

4. The learned Special Government Pleader appearing for the respondents 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, Sathankulam Police Station, Thoothukudi District, is directed to consider the representation of the petitioner, dated 08.09.2017 and to give permission and to provide police protection for "Adal Padal" programme in connection with "Kodaivizha" in "Arulmigu Sri Esakkiamman Thirukovil" at Yadava Street, Amuthannakudi, Sathankulam, Thoothukudi District, scheduled to be held on 22.09.2017, subject to the following conditions;

(a) the "**Adal Padal**" programme in connection with the "Kodaivizha" in "Arulmigu Sri Esakkiamman Thirukovil" at Yadava Street, Amuthannakudi, Sathankulam, Thoothukudi District, scheduled to be held on 22.09.2017, 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) 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;

(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



(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(RTI)

/True Copy/

Sub Assistant Registrar

To

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

2.The Inspector of Police,
Sathankulam Police Station, Thoothukudi District.

+1cc to M/S.R.KARTHIC RAJAN, Advocate SR.No.78571

+1cc to Special Government Pleader, SR.No. 78769

vsa

MAS/KK/SAR2:20.09.2017:3P-5C

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