



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.09.2017

CORAM

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

W.P.(MD) No.17247 of 2017

Boomibalagan

... Petitioner

-Vs-

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

2.The Inspector of Police,
Palanichettipatti Police Station,
Theni District.

... Respondents

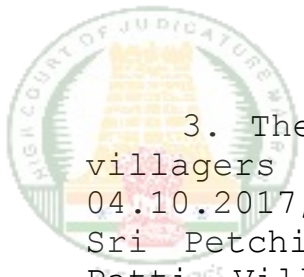
Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to grant permission and protection for cultural event namely Aadalpadal scheduled to be held on 04.10.2017 at night in connection with "Purattaasi Festival" in Arulmigu Sri Petchiamman And Karupasami Kovil at Main Road, Valaiyathu Patti Village, Boothi Puram, Bodi Taluk, Theni District by considering the petitioner's representation dated 07.09.2017.

For Petitioner : Mr.J.M.Jeya Karthick
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 second respondent to grant permission and protection for cultural event namely Aadalpadal scheduled to be held on 04.10.2017 at night in connection with "Purattaasi Festival" in Arulmigu Sri Petchiamman and Karupasami Kovil at Main Road, Valaiyathu Patti Village, Boothi Puram, Bodi Taluk, Theni District by considering the petitioner's representation dated 07.09.2017.

2. Heard the learned counsel appearing for the petitioner and 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 04.10.2017, in connection with "Purattaasi Festival" in "Arulmigu Sri Petchiamman and Karupasami Kovil" at Main Road, Valaiyathu Patti Village, Boothi Puram, Bodi Taluk, Theni District. He further submitted that in this connection, a representation was given to the second respondent on 07.09.2017, 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, Palanichettipatti Police Station, Theni District, is directed to consider the representation of the petitioner, dated 07.09.2017 and to give permission and to provide police protection for "Adal Padal" programme in connection with "Purattaasi Festival" in "Arulmigu Sri Petchiamman and Karupasami Kovil" at Main Road, Valaiyathu Patti Village, Boothi Puram, Bodi Taluk, Theni District, scheduled to be held on 04.10.2017, subject to the following conditions;

(a) the "Adal Padal" programme in connection with the "Purattaasi Festival" in "Arulmigu Sri Petchiamman and Karupasami Kovil" at Main Road, Valaiyathu Patti Village, Boothi Puram, Bodi Taluk, Theni District, scheduled to be held on 04.10.2017, 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 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 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(Crl.Side)

/True Copy/

Sub-Assistant Registrar

To

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

2.The Inspector of Police,
Palanichettipatti Police Station,
Theni District.

+One cc to The Special Government Pleader, SR.No.78765

+One cc to Mr.J.M.Jeyakarthick, Advocate, SR.No.78569

vsa
RL/5C/3P/JC/SAR3/20/9/2017

W.P.(MD) No.17247 of 2017

13.09.2017