



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.09.2017

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

W.P. (MD) No.17392 of 2017

S.Parisamuthu

... Petitioner

-Vs-

The Inspector of Police,
Gurumbur Police Station,
Trichendur Taluk,
Tuticorin District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 07.09.2017 and permit the Petitioner to conduct dance program on 30.09.2017 at 08.00.p.m., to 12.00 p.m., at Amman Temple Ground, Nallur Village, Trichendur Taluk, Thoothukudi District.

For Petitioner : Mr.V.Maharajan

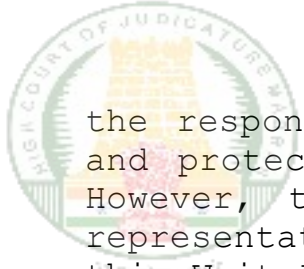
For Respondent : Mr.A.K.Baskara Pandian,
Special Government Pleader.

O R D E R

This Writ petition is filed for issuance of a Writ of Mandamus, seeking a direction to the respondent to consider the petitioner's representation dated 07.09.2017 and permit the petitioner to conduct dance program on 30.09.2017 at 08.00.p.m., to 12.00 p.m., at Amman Temple Ground, Nallur Village, Trichendur Taluk, Thoothukudi District.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondent.

3. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Dance Program" on 30.09.2017 at 08.00 p.m., to 12.00 p.m., at Amman Temple Ground, Nallur Village, Trichendur Taluk, Thoothukudi District. He further submitted that in this connection, a representation was given to



the respondent on 07.09.2017, with a request to grant permission and protection to conduct the programme on the above said date. However, the respondent police has not yet considered the said representation and hence, the petitioner is before this Court with this Writ Petition.

4. The learned Special Government Pleader appearing for the respondent submitted that this Court may grant permission for dance 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 respondent/The Inspector of Police, Gurumbur Police Station, Trichendur Taluk, Tuticorin District, is directed to consider the representation of the petitioner, dated 07.09.2017 and to give permission and to provide police protection for "Dance Programme" in connection with the "Amman Temple Ground, Nallur Village, Trichendur Taluk, Thoothukudi District, scheduled to be held on 30.09.2017, subject to the following conditions;

(a) the "Dance Programme" in connection with the "Amman Temple Ground, Nallur Village, Trichendur Taluk, Thoothukudi District, scheduled to be held on 30.09.2017, should be completed before 10.30 p.m.

(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;

<https://hcservices.echips.gov.in/hcservices>
(h) In addition, 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

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(j) if any untoward incident takes place, the organizers of the programme be made responsible for the same.

6. It is open to the respondent police to put any further restrictions or to impose any conditions purely in the interest of preserving public order and tranquility. There can be a total ban for putting up any Flex Boards representing any community. No costs.

/True Copy/

Sd/-
Assistant Registrar(RTI)

Sub-Assistant Registrar

To

The Inspector of Police,
Gurumbur Police Station,
Trichendur Taluk,
Tuticorin District.

+One cc to The Special Government Pleader, SR.No.79323

+One cc to M/s.V.Maharajan, Advocate, SR.No.79116

das/msa
RL/4C/3P/MR/KKR/SAR1/21/9/2017

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