



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2017

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

W.P. (MD) No.17618 of 2017

Balakrishnan

... Petitioner

-Vs-

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

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to grant permission and protection for yearly festival of Sri Kaliswari Amman Kovil situated at Dombucherry village, Theni District, for the "Adal Padal dance Programme" on 04.10.2017 at about 6.00 pm.

For Petitioner : Mr.K.Srinivasaragavan

For Respondent : 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 respondent to grant permission and protection for yearly festival of Sri Kaliswari Amman Kovil situated at Dombucherry village, Theni District, for the "Adal Padal dance Programme" on 04.10.2017 at about 6.00 pm.

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

3. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Adal Padal dance Programme" on 04.10.2017 at Sri Kaliswari Amman Kovil situated at Dombucherry village, Theni District. He further submitted that in this connection, a representation was given to the respondent on 15.09.2017, with a request to grant permission and protection to conduct the programme on the above said date. However, the respondent 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 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, Palanichettipatti Police Station, Palanichettipatti, Theni District, is directed to consider the representation of the petitioner, dated 15.09.2017 and to give permission and to provide police protection for "Adal Padal dance Programme" at Sri Kaliswari Amman Kovil situated at Dombucherry village, Theni District, scheduled to be held on 04.10.2017, subject to the following conditions;

(a) the "Adal Padal dance Programme" at Sri Kaliswari Amman Kovil situated at Dombucherry village, Theni District, scheduled to be held on 04.10.2017, should be completed before 10.30 p.m or as may be directed 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 the 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/-
Vacation Officer/
Assistant Registrar

/True Copy/

Sub-Assistant Registrar

To

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

+One cc to Mr.K.Srinivasaraghavan, Advocate, SR.No.79928

+One cc to The Special Government Pleader, SR.No.79902

Ls
RL/4C/3P/SKN/RSK/SAR2/28/9/2017

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