



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2017

CORAM

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

W.P. (MD) No.17794 of 2017

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M.Maniayarasan

... Petitioner

-Vs-

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

2.The Inspector of Police,
Ragunathapuram Police Station,
Ragunathapuram,
Pudukkottai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, thereby directing the second respondent to consider the petitioner representation dated 18.09.2017 to grant permission to conduct the "Purattasi Pongal Festival" as well as other programmes and also to conduct the "Kiramiya Isai and Aadal Padal" at about 06.00 p.m to 11.00 p.m on 30.09.2017 in temple namely "Arulmigu Shree Poonaikutthi Ayyanar Kovil" at Pudhu Viduthi, Ragunathapuram Post, Karambakudi Taluk, Pudukkottai District.

For Petitioner : Mr.C.Jeyaprakash

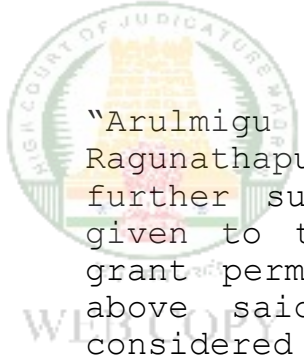
For Respondent : Mr.A.K.Baskarapandiyan,
Special Government Pleader.

O R D E R

This Writ petition is filed for issuing a Writ of Mandamus, thereby directing the second respondent to consider the petitioner representation dated 18.09.2017 to grant permission to conduct the "Purattasi Pongal Festival" as well as other programmes and also to conduct the "Kiramiya Isai and Aadal Padal" at about 06.00 p.m to 11.00 p.m on 30.09.2017 in temple namely "Arulmigu Shree Poonaikutthi Ayyanar Kovil" at Pudhu Viduthi, Ragunathapuram Post, Karambakudi Taluk, Pudukkottai District.

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 "Aadal Padal" programme on 30.09.2017, in connection with the "Purattasi Pongal Festival" in



"Arulmigu Shree Poonaikutthi Ayyanar Kovil" at Pudhu Viduthi, Ragunathapuram Post, Karambakudi Taluk, Pudukkottai District. He further submitted that in this connection, a representation was given to the second respondent on 18.09.2017, 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 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, Ragunathapuram Police Station, Ragunathapuram, Pudukkottai District, is directed to consider the representation of the petitioner, dated 18.09.2017 and to give permission and to provide police protection for "Adal Padal" programme in connection with "Purattasi Pongal Festival" in "Arulmigu Shree Poonaikutthi Ayyanar Kovil" at Pudhu Viduthi, Ragunathapuram Post, Karambakudi Taluk, Pudukkottai District, scheduled to be held on 30.09.2017, subject to the following conditions;

(a) the "Adal Padal" programme in connection with "Purattasi Pongal Festival" in "Arulmigu Shree Poonaikutthi Ayyanar Kovil" at Pudhu Viduthi, Ragunathapuram Post, Karambakudi Taluk, Pudukkottai District, scheduled to be held on 30.09.2017 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) 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;

(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.

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6. It is open to 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

/True Copy/

Sub Assistant Registrar

To

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

2.The Inspector of Police,
Ragunathapuram Police Station,
Ragunathapuram,
Pudukkottai District.

+1cc to Mr.C.JEYAPRAKASH Advocate in SR. No. 80003

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 80390

MYR

JS/KP/SAR.2/27.09.2017/3P-5C

W.P.(MD) No. 17794 of 2017
20.09.2017