



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2017

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

W.P.(MD) No.18016 of 2017

K.Jeyaraj

...Petitioner

-Vs-

The Sub Inspector of Police,
Anadal Puram Police Station,
Subrammaniyapuram,
Palanganatham,
Madurai District.

...Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to grant permission and protection for cultural event namely such as "Aadal Padal Programe " scheduled to be held on 08.10.2017 and 09.10.2017 at night in connection with "Aavani Vizha Festival" at "Sri Ayyanar Temple" Kovil at Palanganatham Village, Madurai District.

For Petitioner : Mr.O.S.Ramachandra Pradeep

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

ORDER

This Writ petition is filed for issuing a Writ of Mandamus seeking a direction to the respondent to grant permission and protection for cultural event namely such as "Aadal Padal Programe " scheduled to be held on 08.10.2017 and 09.10.2017 at night in connection with "Aavani Vizha Festival" at "Sri Ayyanar Temple" Kovil at Palanganatham Village, Madurai 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 "Aadal Padal" scheduled to be held on 08.10.2017 and 09.10.2017, in connection with "Aavani Vizha Festival" at "Sri Ayyanar Temple" at Palanganatham Village, Madurai District. He further submitted that in this connection, a



representation was given to the respondent on 14.09.2017 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.

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4. The learned Special Government Pleader appearing for the respondent submitted that this Court may grant permission for "Aadal Padal" 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, Anadal Puram Police Station, Madurai District, is directed to consider the representation of the petitioner, dated 14.09.2017 and give permission and to provide adequate police protection for "Aadal Padal" in connection with "Aavani Vizha Festival" at "Sri Ayyanar Temple", at Palanganatham Village, Madurai District scheduled to be held on 08.10.2017 and 09.10.2017, subject to the following conditions;

*(a) the "Aadal Padal" in connection with "Aavani Vizha Festival" at "Sri Ayyanar Temple", at Palanganatham Village, Madurai District scheduled to be held on 08.10.2017 and 09.10.2017 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;

(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 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(T&P)

/True Copy/

Sub Assistant Registrar

To

The Sub Inspector of Police,
Anadal Puram Police Station,
Subrammaniyapuram,
Palanganatham,
Madurai District.

+ 1 cc TO Mr.O.S.Ramachandra Pradeep , Advocate in SR No. 80835
+1cc to The Special Government Pleader in SR.No.81140

mm/cmr

AE/JC/SAR1/05.10.2017/3P/4C

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