

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 22.09.2017
CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE S. S. SUNDAR**W.P. (MD) No. 18151 of 2017**

J.Vaira Ramar

... Petitioner

-Vs-

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

2. The Inspector of Police,
Koodakovil Police Station,
Koodakovil
Madurai District.

... Respondents

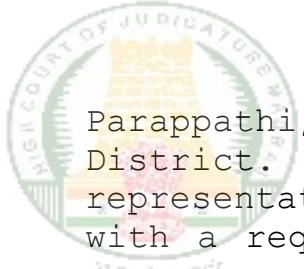
Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 2nd respondent to consider the representation of the petitioner dated 20.09.2017 to grant permission to conduct the "Purattasi Pongal Vizha" as well as other programmes and also to conduct the "Aadal-Padal" on 05.10.2017 at about 06.00 pm to 11.00 pm in the temple namely "Parappathi Arulmigu Sellayeeamman Kovil" at Parappathi, Koodakovil Post, Thiruparankundram Taluk, Madurai District.

For Petitioner : Mr.C.Jeyaprakash
For Respondents : Mr.A.K.Baskarapandian
Special Government Pleader.

O R D E R

The petitioner has come forward with this Writ Petition to direct the 2nd respondent to consider the representation of the petitioner dated 20.09.2017 to grant permission to conduct the "Purattasi Pongal Vizha" and also to conduct the "Aadal-Padal" on 05.10.2017 at about 06.00 pm to 11.00 pm in the temple namely "Parappathi Arulmigu Sellayeeamman Kovil" at Parappathi, Koodakovil Post, Thiruparankundram Taluk, Madurai District.

2.The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Purattasi Pongal Vizha" and also to conduct "Aadal-Padal" programme on 05.10.2017 in connection with "Parappathi Arulmigu Sellayeeamman Kovil" at



Parappathi, Koodakovil Post, Thiruparankundram Taluk, Madurai District. He further submitted that in this connection, a representation was given to the second respondent on 20.09.2017, 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.

3. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

4. The learned Special Government Pleader appearing for the respondent 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, Koodakovil Police Station, is directed to consider the representation of the petitioner, dated 20.09.2017 and to give permission and to provide police protection for "Adal Padal" programme in connection with "Purattasi Temple Festival" in "Parappathi Arulmigu Sellayeeamman Kovil" at Parappathi, Koodakovil Post, Thiruparankundram Taluk, Madurai District, scheduled to be held on 05.10.2017, subject to the following conditions;

(a) the "Adal Padal" programme in connection with "Purattasi Pongal Festival" in "Parappathi Arulmigu Sellayeeamman Kovil" at Parappathi, Koodakovil Post, Thiruparankundram Taluk, Madurai District, scheduled to be held on 05.10.2017 should be completed before 10.30 p.m., or as may be permitted by the second 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;

<https://hcservices.ecourts.gov.in/> 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()

/True Copy/

Sub Assistant Registrar

To

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

2. The Inspector of Police,
Koodakovil Police Station,
Koodakovil
Madurai District.

+1cc to M/S. C.JEYAPRAKASH, Advocate, SR.No.80802.
+1cc to Special Government Pleader, SR.No.81161.

W.P.(MD) No. 18151 of 2017
22.09.2017

cmr/mm

SDS/SV:MMS/SAR 4/03.10.2017/3P/5C