

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 22.09.2017****CORAM****THE HONOURABLE MR.JUSTICE S.S.SUNDAR****W.P. (MD) No. 18199 of 2017**

M.Sundar

... Petitioner

-Vs-

The Inspector of Police,
Puliyankudi Police Station,
Puliyankudi,
Tirunelveli District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondent to give permission and police protection to the "Adalum Padalum" cultural program on 27.09.2017 at 07.00 pm to 11.00 pm in our temple festival of "Arulmigu Sri Muppudathi Amman Thirukovil" at Dharugapuram, Sivagiri Taluk, Tirunelveli District based on the petitioner's representation dated 17.09.2017,

For Petitioner : Mr.S.Selvakumar

For Respondent : Mr.A.K.Baskarapandian
Special Government Pleader.

O R D E R

The petitioner has come forward with this Writ Petition to direct the respondent to give permission and police protection to the "Adalum Padalum" cultural program on 27.09.2017 at 07.00 pm to 11.00 pm in connection with temple festival of "Arulmigu Sri Muppudathi Amman Thirukovil" at Dharugapuram, Sivagiri Taluk, Tirunelveli District based on the petitioner's representation dated 17.09.2017,

2.The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Adalum Padalum" dance programme on 27.09.2017 in connection with temple festival of "Arulmigu Sri Muppudathi Amman Thirukovil" situated at Dharugapuram, Sivagiri Taluk, Tirunelveli District. He further submitted that in this connection, a representation was given to the second respondent on 17.09.2017, 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 respondent/The Inspector of Police, Puliyankudi Police Station, is directed to consider the representation of the petitioner, dated 17.09.2017 and to give permission and to provide police protection for "Adal Padal" programme in connection with "Temple Festival" in "Arulmigu Sri Muppudathi Amman Thirukovil" situated at Dharugapuram, Sivagiri Taluk, Tirunelveli District, scheduled to be held on 27.09.2017, subject to the following conditions;

*(a) the "Adal Padal" programme in connection with the "Temple Festival" in "Arulmigu Sri Muppudathi Amman Thirukovil" situated at Dharugapuram, Sivagiri Taluk, Tirunelveli District, scheduled to be held on 27.09.2017 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;

(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(P&A)

/True Copy/

Sub Assistant Registrar

To

The Inspector of Police,
Puliyankudi Police Station,
Puliyankudi,
Tirunelveli District.

+1cc to Mr.S.Selvakumar , Advocate Sr.No.80689

+1cc to Spl.Government Pleader Sr.No.81167

CMR/MM

VB/MR/KKR/SAR1/26/09/2017/3P/4C

W.P. (MD) No. 18199 of 2017
22.09.2017