



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.10.2017

CORAM

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

W.P.(MD) No. 18426 of 2017

WEB COPY

M.Kannan

... Petitioner

-Vs-

The Inspector of Police,
Silaiman Police Station,
Now Viraganoor,
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 necessary police protection to perform cultural programme of "Adal Padal" on 05.10.2017 at 08.00 p.m to 12.00 a.m in "Arulmigu Sri Pon Muniyandi, Sri Kanimar kovil" is situated at S.Puliangulam, Near Silaiman, Madurai District and to provide adequate police protection based on the petitioner's representation dated 26.09.2017.

For Petitioner : Mr.S.Subburaj
For Respondent : Mr.D.Muruganantham,
Additional Government Pleader.

O R D E R

The petitioner has come forward with this Writ Petition for issuance of a Writ of Mandamus seeking a direction to the respondents to grant permission and necessary police protection to perform cultural programme, namely, "Adal Padal" dance programme on 05.10.2017 at 08.00 p.m to 12.00 a.m in connection with "Thiruvizha" of "Arulmigu Sri Pon Muniyandi, Sri Kanimar kovil" is situated at S.Puliangulam, Near Silaiman, Madurai District.

2. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Adal Padal" dance programme on 05.10.2017 in connection with a festival in "Arulmigu Sri Pon Muniyandi, Sri Kanimar kovil" is situated at S.Puliangulam, Near Silaiman, Madurai District. He further submitted that in this connection, a representation was given to the respondent on 26.09.2017, 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.

<https://hcservices.courts.gov.in/hcservices> 3. The learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondent.



4. The learned Additional 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 direction:-

The respondent/Inspector of Police, Silaiman Police Station, Now Viraganoor, Madurai District, is directed to consider the representation of the petitioner, dated 26.09.2017 and to give permission and to provide police protection for "Adal Padal" dance programme in connection with the festival in "Arulmigu Sri Pon Muniyandi, Sri Kanimar kovil" is situated at S.Puliangulam, Near Silaiman, Madurai District, scheduled to be held on 05.10.2017, subject to the following conditions;

(a) the "Adal Padal" programme in connection with the festival in "Arulmigu Sri Pon Muniyandi, Sri Kanimar kovil" is situated at S.Puliangulam, Near Silaiman, Madurai District, scheduled to be held on 05.10.2017, 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 dance 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(Writs)

/True Copy/

Sub Assistant Registrar

To

The Inspector of Police,
Silaiman Police Station,
Now Viraganoor,
Madurai District.

+1cc to M/S.S.Subburaj, Advocate SR.No. 81550

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SSS

JM/SV MMS/SAR 3/04.10.2017/3P/3C0