



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.10.2017

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

W.P.(MD) No.18486 of 2017

M.Subbaiah

... Petitioner

-Vs-

The Inspector of Police,
Thenkarai Police Station,
Periyakulam,
Theni District.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to grant permission to perform the program Dance Programme (Adal Padal) at 11.10.2017 night at about 08.00 a.m. to 12.00 a.m. at "Sri Manthaiyamman Kovil" is situated at Muthalamman Kovil Street, T.Kallipatti, Periyakulam Taluk, Theni District and to provide adequate police protection based on petitioner's representation dated 25.09.2017.

For Petitioner : Mr.C.Bethanasamy

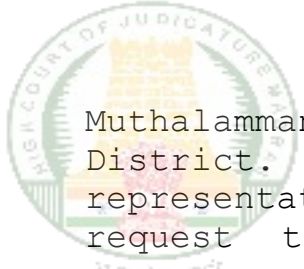
For Respondent : Mr.D.Muruganantham
Additional Government Pleader.

O R D E R

This Writ petition has been filed for issuance of a Writ of Mandamus, to direct the respondent to grant permission to perform the program Dance Programme (Adal Padal) at 11.10.2017 night at about 08.00 a.m. to 12.00 a.m. at "Sri Manthaiyamman Kovil" is situated at Muthalamman Kovil Street, T.Kallipatti, Periyakulam Taluk, Theni District and to provide adequate police protection based on petitioner's representation dated 25.09.2017.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondent.

<https://hcservices.ecourts.gov.in/hcservices>
3. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Adal Padal" Dance programme on 11.10.2017 at "Sri Manthaiyamman Kovil" is situated at



Muthalamman Kovil Street, T.Kallipatti, Periyakulam Taluk, Theni District. He further submitted that in this connection, a representation was given to the respondent on 25.09.2017, 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 Additional Government Pleader appearing for the respondent submitted that this Court may grant permission for conducting "Adal Padal" Dance 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, Thenkarai Police Station, Periyakulam, Theni District, is directed to consider the representation of the petitioner, dated 25.09.2017 and to give permission and provide police protection for "Adal Padal" Dance programme at "Sri Manthaiyamman Kovil" is situated at Muthalamman Kovil Street, T.Kallipatti, Periyakulam Taluk, Theni District, scheduled to be held on 11.10.2017, subject to the following conditions;

(a) the "Adal Padal" Dance programme at "Sri Manthaiyamman Kovil" is situated at Muthalamman Kovil Street, T.Kallipatti, Periyakulam Taluk, Theni District, scheduled to be held on 11.10.2017, should be completed before 10.30 p.m or as may be directed 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 the 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 Inspector of Police,
Thenkarai Police Station,
Periyakulam,
Theni District.

+1CC to Mr.C.Bethanasamy, Advocate, SR.No. 81719

+1CC to the Special Government Pleader SR.No. 81888

W.P.(MD) No.18486 of 2017

05.10.2017

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AM/SV MMS/SAR 1/06.10.2017/3P/4C