



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 06.10.2017
CORAM

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

W.P.(MD) No.18608 of 2017

S.Raja Poornachandiran

... Petitioner

-Vs-

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

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

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to grant permission and production to conduct Nadana Nattiya Kalai Nikalchi (Aadal Padal) on 07.10.2017 in the eve of 20th year Varudapesaga Vila to "Arul Migu Sri Veil Ugantha Amman Temple" situated at Nellaiappapuram, Thirunagar, Madurai in pursuant to the petition dated 03.10.2017.

For Petitioner : Mr.G.Sivaraja
For Respondents : Mr.D.Muruganantham
Additional Government Pleader.

O R D E R

This Writ petition is filed for issuing a Writ of Mandamus, directing the second respondent to grant permission and production to conduct Nadana Nattiya Kalai Nikalchi (Aadal Padal) on 07.10.2017 in the eve of 20th year Varudapesaga Vila to "Arul Migu Sri Veil Ugantha Amman Temple" situated at Nellaiappapuram, Thirunagar, Madurai in pursuant to the petition dated 03.10.2017.

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

3. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct Nadana Nattiya Kalai Nikalchi (Aadal Padal) on 07.10.2017, on the eve of 20th year Varudapesaga Vila to "Arul Migu Sri Veil Ugantha Amman Temple" situated at Nellaiappapuram, Thirunagar, Madurai. He further submitted that in this connection, a representation was given to the second respondent on 03.10.2017, with a request to grant permission and



protection to conduct the programme on the above said date. However, the second respondent 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 respondents submitted that this Court may grant permission for Nadana Nattiya Kalai Nikalchi (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 second respondent/The Inspector of Police, Thirunagar Police Station, Madurai District, is directed to consider the representation of the petitioner, dated 03.10.2017 and to give permission and to provide police protection for Nadana Nattiya Kalai Nikalchi (Aadal Padal) on the eve of 20th year Varudapesaga Vila to "Arul Migu Sri Veil Ugantha Amman Temple" situated at Nellaiappapuram, Thirunagar, Madurai, scheduled to be held on 07.10.2017, subject to the following conditions;

(a) the Nadana Nattiya Kalai Nikalchi (Aadal Padal) on the eve of 20th year Varudapesaga Vila to "Arul Migu Sri Veil Ugantha Amman Temple" situated at Nellaiappapuram, Thirunagar, Madurai, scheduled to be held on 07.10.2017 should be completed before 10.30 p.m., or as may be permitted by the 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. The second respondent is at liberty to put any further restrictions or to impose any conditions purely in the interest of preserving public order and tranquillity so as to maintain law and order and communal harmony. There can be a total ban for putting up any Flex Boards representing any community. No costs.

Sd/-

Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To

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

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

+1cc to M/S.G.Sivaraja, Advocate SR.No. 81858

W.P.(MD) No. 18608 of 2017
06.10.2017

km/pmu

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