



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.10.2017

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THE HON'BLE MR.JUSTICE S.S.SUNDARW.P. (MD) No.18636 of 2017

WEB COPY

S.Vairamuthu

... Petitioner

-Vs-

The Sub Inspector of Police,
Kalligudi Police Station,
Thirumangalam Taluk,
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 consider petitioner's representation, dated 03.10.2017 and permit the petitioner to conduct Dance Program on 11.10.2017 and 13.10.2017 at about 7.00 p.m., to 11.00 p.m., at Kalaiararam, at Agathapatti Village, Thirumangalam Taluk, Madurai District.

For Petitioner : Mr.V.Maharajan

For Respondent : Mr.D.Muruganantham,
Additional Government Pleader.**ORDER**

This Writ petition is filed for issuing a Writ of Mandamus, directing the respondent to consider petitioner's representation dated 03.10.2017 and permit the petitioner to conduct Dance Programs on 11.10.2017 and 13.10.2017 at about 7.00 p.m., to 11.00 p.m., at Kalaiararam, at Agathapatti Village, Thirumangalam Taluk, Madurai District.

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

3. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct Dance programme on 11.10.2017 and 13.10.2017 in connection with a festival in Alangara Valliamman temple, at Agathapatti Village, Thirumangalam Taluk, Madurai District. He further submitted that in this connection, a representation was given to the respondent on 03.10.2017, 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

4. The respondent has objections on the ground that there was a

law and order problem on earlier occasion and a case was also registered under Section 107 Cr.P.C. However, it is stated by the Additional Government Pleader that permission can be granted for one day either on 11.10.2017 or on 13.10.2017.

5. The learned counsel for the petitioner conceded that the permission may be granted on 13.10.2017 alone for conducting the Dance Programme.

6. Having regard to the facts and circumstances of the case, the Writ Petition is disposed of with the following directions:

The respondent/The Sub-Inspector of Police, Kalligudi Police Station, Thirumangalam Taluk, 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 Dance programme in connection with a festival in Alangara Valliamman temple, at Kalaiarangam, at Agathapatti Village, Thirumangalam Taluk, Madurai District, scheduled to be held on 13.10.2017, subject to the following conditions;

(a) the **Dance** programme in connection with a festival in Alangara Valliamman temple, at Kalaiarangam, at Agathapatti Village, Thirumangalam Taluk, Madurai District, scheduled to be held on **13.10.2017** 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.

7. The 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(CO)

/True Copy/

Sub Assistant Registrar

To

The Sub Inspector of Police,
Kalligudi Police Station,
Thirunmangalam Taluk,
Madurai District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 81949
+1cc to Mr.V.MAHARAJAN Advocate in SR. No. 81873

KM/PMU

JS/SV.MMS/SAR.2/3P-4C/10.10.2017

W.P.(MD) No. 18636 of 2017
06.10.2017