



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.10.2017

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.(MD) No.18727 of 2017

WEB COPY

V.Chinnasamy

... Petitioner

-Vs-

The Inspector of Police,
Sedapatti Police Station,
Peraiyur 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 herein to grant permission and give police protection to conduct "Aadalum Padalum" dance programme at about 07.00 p.m. on 10.10.2017 in pursuance to the festival of "Arulmighu Sri Kalamman Thirukovil", situated in Perungamanallur, Onandipatti Village, Peraiyur Taluk, Madurai District on considering petitioner's representation dated 06.10.2017.

For Petitioner : Mr.O.S.Ramachandra Pradeep
For Respondent : Mr.D.Muruganantham
Additional Government Pleader.

O R D E R

This Writ petition is filed for issuing a Writ of Mandamus seeking a direction to the respondent to grant permission and give police protection to conduct "Aadalum Padalum" dance programme at about 07.00 p.m. on 10.10.2017 in pursuance to the festival of "Arulmighu Sri Kalamman Thirukovil", situated in Perungamanallur, Onandipatti Village, Peraiyur Taluk, Madurai District on considering petitioner's representation dated 06.10.2017.

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 "Aadalum Padalum" dance programme on. 10.10.2017 in connection with "Arulmighu Sri Kalamman Thirukovil", situated in Perungamanallur, Onandipatti Village, Peraiyur Taluk, Madurai District. He further submitted in connection, a representation was given to the respondent on 06.10.2017, 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 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 "Aadalum Padalum" 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, Sedapatti Police Station, Madurai District, is directed to consider the representation of the petitioner, dated 06.10.2017 and to give permission and to provide police protection for "Aadalum Padalum" dance programme in connection with "Arulmighu Sri Kalamman Thirukovil", situated in Perungamanallur, Onandipatti Village, Peraiyur Taluk, Madurai District, scheduled to be held on 10.10.2017, subject to the following conditions;

(a) the "Aadalum Padalum" dance programme in connection with the "Arulmighu Sri Kalamman Thirukovil", situated in Perungamanallur, Onandipatti Village, Peraiyur Taluk, Madurai District, scheduled to be held on 10.10.2017 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. 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(CS-III)

/True Copy/

Sub Assistant Registrar

To

The Inspector of Police,
Sedapatti Police Station,
Peraiyur Taluk,
Madurai District.

+1cc to M/S.O.S.Ramachandra Pradeep, Advocate SR.No. 82034

W.P.(MD) No. 18727 of 2017
09.10.2017

GSP/CMR

JM/SV MMS/SAR 4/09.10.2017/3P/3C