



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.10.2017

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.(MD) No.19013 of 2017

V.Devadoss

...Petitioner

-Vs-

1.The Superintendant of Police,
Thanjavur District,
Thanjavur.

2.The Inspector of Police,
Peravurani Police Station,
Thanjavur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the second respondent to grant permission and protection to conduct dance programme (Aadal Padal) on 13.10.2017 in the eve of concluding day of Mandalabisekam of "Sri Muthumariamman, Thilaikaliyamman Kovil" situated at Kalagam Village, Peravurani Taluk, Thanjavur District in pursuant to the petition dated 09.10.2017.

For Petitioner :Mr.C.Bharathi

For Respondents :Mr.D.Muruganadam

Additional Government Pleader.

O R D E R

This Writ petition is filed for issuing a Writ of Mandamus, to direct the second respondent to grant permission and protection to conduct dance programme (Aadal Padal) on 13.10.2017 in the eve of concluding day of Mandalabisekam of "Sri Muthumariamman Thilaikaliyamman Kovil" situated at Kalagam Village, Peravurani Taluk, Thanjavur District in pursuant to the petition dated 09.10.2017.

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 Aadal Padal Dance Programme on 13.10.2017 in conjunction with concluding day of Mandalabisekam of "Sri Muthumariamman Thilaikaliyamman Kovil" situated at Kalagam Village, Peravurani Taluk, Thanjavur District. He further submitted that in



this connection, a representation was given to the second respondent on 09.10.2017, 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 Public Prosecutor appearing for the respondents submitted that this Court may grant permission for "Aadal Padal" 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 second respondent/The Inspector of Police, Peravurani Police Station, Thajnavur District, is directed to consider the representation of the petitioner, dated 09.10.2017 and to give permission and to provide police protection for "Aadal Padal" programme in connection with concluding day of Mandalabisekam of "Sri Muthumariamman Thilaikaliyamman Kovil" situated at Kalagam Village, Peravurani Taluk, Thanjavur District, scheduled to be held on 13.10.2017, subject to the following conditions;

(a) the "Aadal Padal" programme in connection with concluding day of Mandalabisekam of "Sri Muthumariamman Thilaikaliyamman Kovil" situated at Kalagam Village, Peravurani Taluk, Thanjavur District, scheduled to be held on 13.10.2017 should be completed before 10.30 p.m., or as may be permitted 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 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.

7.The petitioner shall pay a cost of Rs.1000/- (Rupees One Thousand only) to the credit of the Hon'ble Chief Justice relief fund, Madurai Bench of Madras High Court, Madurai, failing which the order copy shall not be furnished today.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar.

To

1.The Superintendant of Police,
Thanjavur District,
Thanjavur.

2.The Inspector of Police,
Peravurani Police Station,
Thanjavur District.

+1CC to Mr.C.Bharathi, Advocate, SR.No. 82589
(Cost Receipt enclosed)

W.P.(MD) No.19013 of 2017
12.10.2017

cmr

JM/SV MMS/SAR 3/12.10.2017/3P/4C