



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.10.2017

CORAM

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

W.P.(MD) No.19454 of 2017

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Baskar

... Petitioner

-Vs-

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

2.The Inspector of Police,
Vaiyampatti Police Station,
Manapparai Taluk,
Thiruchirappalli District.

... Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to provide police protection for the "Arulmigu Muthalamman Temple Festival" held on 24.10.2017 and 25.10.2017 and for the cultural programme viz., Aadal Padal to be performed on 24.10.2017 between 8.00 pm and 11.00 pm in front of the Arulmigu Muthalamman Temple, Amayapuram Village, Manaparai Taluk, Thiruchirapalli District.

For Petitioner : M/s.T.M. Madasamy
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 respondents to provide police protection for the "Arulmigu Muthalamman Temple Festival" held on 24.10.2017 and 25.10.2017 and for the cultural programme viz., Aadal Padal to be performed on 24.10.2017 between 8.00 pm and 11.00 pm in front of the Arulmigu Muthalamman Temple, Amayapuram Village, Manaparai Taluk, Thiruchirapalli 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 "Aadal Padal" programme on 24.10.2017 in connection with a festival in "Arulmigu Muthalamman Temple" situated at Amayapuram Village, Manaparai Taluk, Thiruchirappalli District. He further submitted that in this connection, representation was given to the respondents on



17.10.2017, with a request to grant permission and protection to conduct the programme on the above said date. However, the respondents police has not yet considered the said representation and hence, the petitioner is before this Court with this Writ Petition.

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4. The learned Additional Government Pleader appearing for the respondent submitted that this Court may grant permission for "Adal 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:

i) *The second respondent/The Inspector of Police, Vaiyampatti Police Station, Manapparai Taluk, Thiruchirappalli District, is directed to consider the representation of the petitioner, dated 17.10.2017 and to give permission and to provide police protection in connection with a temple festival in "Arulmigu Muthalamman Temple" situated at Amayapuram Village, Manaparai Taluk, Thiruchirapalli District, scheduled to be held on 24.10.2017 and 25.10.2017 and the festival shall be conducted in a peaceful manner.*

(ii) *The second respondent/The The Inspector of Police, Vaiyampatti Police Station, Manapparai Taluk, Thiruchirappalli District., is directed to consider the representation of the petitioner, dated 17.10.2017 and to give permission and to provide police protection for "Adal Padal" programme in connection with a festival in "Arulmigu Muthalamman Temple" situated at Amayapuram Village, Manaparai Taluk, Thiruchirapalli District, scheduled to be held on 24.10.2017, subject to the following conditions;*

(a) *the "Adal Padal" programme in connection with a festival in "Arulmigu Muthalamman Temple" situated at Amayapuram Village, Manaparai Taluk, Thiruchirapalli District, scheduled to be held on **24.10.2017** 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 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

/True copy/

Sub Assistant Registrar

To

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

2.The Inspector of Police,
Vaiyampatti Police Station,
Manapparai Taluk,
Thiruchirappalli District.

+ 1 CC TO MR.T.M. Madasamy, ADVOCATE IN SR No. 83194
MK/SV MMS/SAR-4/24.10.2017/3P/4C