



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.19466 of 2017

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M.Pitchaimani

... Petitioner

-Vs-

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

2.The Sub Inspector of Police,
Thogamalai Police Station,
Karur District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to grant permission to perform the programme of "Aadal-Padal" on 24.10.2017 night at "Arulmighu Sri Balamman, Srivinayagar, Sri Karuppasamy Thirukovils is situated at Veerannampatti, Melpaguthi Village, Kadavur Taluk, Karur District and to provide adequate Police Protection based on the petitioner's representations dated 10.10.2017.

For Petitioner	: Mr.R.Karthic Rajan
For Respondent	: 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 grant permission to perform the programme of "Aadal-Padal" on 24.10.2017 night at "Arulmighu Sri Balamman, Srivinayagar, Sri Karuppasamy Thirukovil" is situated at Veerannampatti, Melpaguthi Village, Kadavur Taluk, Karur District and to provide adequate Police Protection based on the petitioner's representations dated 10.10.2017.

2. The learned counsel appearing for the petitioner submitted that the Aadal Padal Programme scheduled to be held on 24.10.2017. It is further submitted by the learned counsel appearing for the petitioner that there is a change in the programme of the cultural event viz., Aadal Padal from 24.10.2017 to 25.10.2017 and hence, the prayer may be suitably modified and the Police Protection can be given on 25.10.2017.



3. The learned Additional Government Pleader appearing for the respondents submitted that permission can be granted subject to the stringent conditions to ensure maintenance of law and order and communal harmony.

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4. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Adal Padal" programme on 25.10.2017 in connection with a festival in "Arulmighu Sri Balamman, Srivinayagar, Sri Karuppasamy Thirukovil" is situated at Veerannampatti, Melpaguthi Village, Kadavur Taluk, Karur District. He further submitted that in this connection, representation was given to the respondent on 10.10.2017, 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.

5. Considering the facts and circumstances of the case, the Writ Petition is disposed of with the following directions:

The second respondent/ The Sub Inspector of Police, Thogamalai Police Station, Karur District, is directed to consider the representation of the petitioner, dated 10.10.2017 and to give permission and to provide police protection for "Adal Padal" programme in connection with a festival in "Arulmighu Sri Balamman, Srivinayagar, Sri Karuppasamy Thirukovil" is situated at Veerannampatti, Melpaguthi Village, Kadavur Taluk, Karur District, scheduled to be held on 25.10.2017, subject to the following conditions;

*(a) the "Adal Padal" programme in connection with a festival in "Arulmighu Sri Balamman, Srivinayagar, Sri Karuppasamy Thirukovil" is situated at Veerannampatti, Melpaguthi Village, Kadavur Taluk, Karur District., scheduled to be held on **25.10.2017** 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 respondents are 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 (CS-III)

/True copy/

Sub Assistant Registrar

To

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

2.The Sub Inspector of Police,
Thogamalai Police Station,
Karur District.

+ 1 CC TO MR.R.Karthic Rajan , ADVOCATE IN SR No. 83160
MK/SV MMS/SAR-4/24.10.2017/3P/4C