



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 30.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) No.19788 of 2017

WEB COPY

B.Vijay

... Petitioner

Vs.

1.The Superintendent of Police,
Sivagangai District,
Sivagangai.

2.The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to grant permission and necessary police protection to perform the cultural programme (ie.,) Adal Padal Dance Programme on 01.11.2017 at 07.00 p.m. to 11.00 p.m. in the Festival of Arulmighu Sri Azhagu Meenal Ammal Thirukovil at Keelamelkudi, Manamadurai Taluk, Sivagangai District.

For Petitioner : Mr.V.Manikandan

For Respondents : Mr.R.Karthikeyan
Additional Government Pleader

O R D E R

The petitioner has come forward with this Writ Petition for issuance of a Writ of Mandamus seeking a direction to the respondents to grant permission and necessary protection to perform the cultural programme (ie.,) "Adal Padal" on 01.11.2017 from 07.00 p.m. to 11.00 p.m. in the eve of "Arulmighu Sri Azhagu Meenal Ammal Thirukovil" at Keelamelkudi, Manamadurai Taluk, Sivagangai District.

2.Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents. By consent, the main writ petition itself is taken up for final disposal.

3.The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Adal Padal" programme on 01.11.2017 in connection with a festival of "Arulmighu Sri Azhagu Meenal Ammal Thirukovil" at Keelamelkudi, Manamadurai Taluk,



Sivagangai District. He further submitted that in this connection, a representation was given to the respondents on 23.10.2017, 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 respondents submitted that this Court may grant permission for "Adal Padal" programme with stringent conditions. He further submitted that there is no adverse remarks against the petitioner in conducting the "Adal Padal" programme, on 01.11.2017.

5.Considering the facts and circumstances of the case, the Writ petition is disposed of with a direction to the second respondent/Inspector of Police, Manamadurai Police Station, Sivagangai District, to consider the representation of the petitioner, dated 23.10.2017 and to give permission and to provide police protection for "Adal Padal" programme in connection with the festival of "Arulmighu Sri Azhagu Meenal Ammal Thirukovil" at Keelamelkudi, Manamadurai Taluk, Sivagangai District, scheduled to be held on 01.11.2017, subject to the following conditions and any other reasonable restrictions that may be imposed by the second respondent in the interest of public and to preserve the law and order:

(a) the "Adal Padal" programme in connection with the festival at "Arulmighu Sri Azhagu Meenal Ammal Thirukovil" at Keelamelkudi, Manamadurai Taluk, Sivagangai District, scheduled to be held on 01.11.2017 should be completed before 10.30 p.m.

(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) no flex boards in support of any political party or religious leader be erected;

(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 dance 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 also open to the second respondent to impose any reasonable restrictions / conditions in the interest of public and to preserve the law and order and communal harmony. No costs.

Sd/-

Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Sivagangai District,
Sivagangai.

2.The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.

+1cc to Mr.V.MANIKANDAN,Advocate,SR. 84524

+1cc to M/S.Special Government Pleader,SR. 84379

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KK/SV MMS/SAR 4/31.10.2017/ 3P- 5C/