



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 30.10.2017
CORAM

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

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W.P.(MD) No.19877 of 2017

Murugaiah

... Petitioner

-Vs-

The Inspector of Police,
Surandai Police Station,
Tirunelveli District.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to grant permission and protection for cultural events, namely, "Adal Padal" and "Innisai Katcheri" scheduled to be held on 05.11.2017 and 06.11.2017 at night 09.00 to 01.00 respectively in connection with a temple festival in "Arulmighu Sri Santhana Mariamman" Temple, at Erattaikulam, Kulayaneri, Veerakeralampudur Taluk, Tirunelveli District, by considering the petitioner's representation, dated 16.10.2017.

For Petitioner : Mr.S.Selvakumar
For Respondent : Mr.R.Karthikeyan,
Additional Government Pleader.

O R D E R

This Writ petition is filed for issuing a Writ of Mandamus, directing the respondent to grant permission and protection for cultural events, namely, "Adal Padal" and "Innisai Katcheri" scheduled to be held on 05.11.2017 and 06.11.2017 at night 09.00 p.m., to 01.00 a.m., respectively in connection with a temple festival in "Arulmighu Sri Santhana Mariamman" Temple, at Erattaikulam, Kulayaneri, Veerakeralampudur Taluk, Tirunelveli District, by considering the petitioner's representation, dated 16.10.2017.

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 "Adal Padal" and "Innisai Katcheri" programmes on 05.11.2017 and 06.11.2017 respectively in



connection with a festival in "Arulmighu Sri Santhana Mariamman" Temple, at Erattaikulam, Kulayaneri, Veerakeralampudur Taluk, Tirunelveli District. He further submitted that in this connection, a representation was given to the respondent on 16.10.2017, with a request to grant permission and protection to conduct the programmes on the above said dates. 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 "Adal Padal" and "Innisai Katcheri" programmes 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, Surandai Police Station, Tirunelveli District, is directed to consider the representation of the petitioner, dated 16.10.2017 and to give permission and to provide police protection for "Adal Padal" and "Innisai Katcheri" programmes in connection with a festival in "Arulmighu Sri Santhana Mariamman" Temple, at Erattaikulam, Kulayaneri, Veerakeralampudur Taluk, Tirunelveli District, scheduled to be held on 05.11.2017 and 06.11.2017 respectively, subject to the following conditions;

*(a) the "Adal Padal" and "Innisai Katcheri" programmes in connection with a festival in "Arulmighu Sri Santhana Mariamman" Temple, at Erattaikulam, Kulayaneri, Veerakeralampudur Taluk, Tirunelveli District, scheduled to be held on 05.11.2017 and 06.11.2017 respectively should be completed before **10.30 p.m.**, on each day 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 functions should not affect either religious or communal harmony and shall be conducted without any discrimination based on caste;

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(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 programmes, if it exceeds beyond the permitted time;

(i) the participants of the programmes 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 police 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

The Inspector of Police,
Surandai Police Station,
Tirunelveli District.

+ 1 CC TO MR.S.Selvakumar, ADVOCATE IN SR No. 84374
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 84380
pmu
MK/KK/SAR-4/02.11.2017/3P/4C

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