



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.11.2017

CORAM

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

W.P. (MD) No.20667 of 2017

WEB COPY

M.Dharmaraja

... Petitioner

-Vs-

The Inspector of Police,
Gudalur North Police Station,
Gudalur,
Theni District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent herein, to grant permission and to provide police protection to conduct the Aadalum Padalum dance programme on 15.11.2017 in pursuant to the "Ippasi Festival" of Arulmigu Kooni Manthaiyammal Thirukoil, situated at Gudalur Town, Theni District, by considering the petitioner's representation dated 06.11.2017.

For Petitioner : Mr.D.Rameshkumar

For Respondent : Mr.D.Muruganandam

Additional Government Pleader.

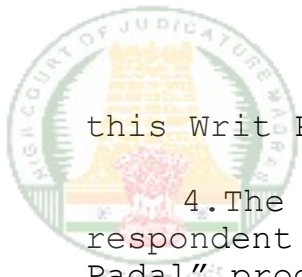
ORDER

This Writ petition has been filed for issuing a Writ of Mandamus, seeking a direction to the respondent to grant permission and to provide police protection to conduct the Aadal Padal dance programme on 15.11.2017 in pursuant to the "Ippasi Festival" of Arulmigu Kooni Manthaiyammal Thirukoil,

situated at Gudalur Town, Theni District, by considering the petitioner's representation dated 06.11.2017.

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 "Aadal Padal" programme on 15.11.2017 in connection with "Ippasi" festival in "Arulmigu Kooni Manthaiyammal Thirukoil", at Gudalur Town, Theni District. He further submitted that in this connection, a representation was given to the respondent on 06.11.2017, 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 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:

The respondent/The Inspector of Police, Gudalur North Police Station, Gudalur, Theni District, is directed to consider the representation of the petitioner, dated 06.11.2017 and to give permission and to provide police protection for "Adal Padal" programme in connection with "Ippasi" festival in "Arulmigu Kooni Manthaiyammal Thirukoil", at Gudalur Town, Theni District, scheduled to be held on 15.11.2017, subject to the following conditions;

(a) the "Adal Padal" programme in connection with the "Ippasi" festival in "Arulmigu Kooni Manthaiyammal Thirukoil", at Gudalur Town, Theni District, scheduled to be held on 15.11.2017 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) 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 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.

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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. No costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

The Inspector of Police,
Gudalur North Police Station,
Gudalur,
Theni District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 86241

+1cc to Mr.D.RAMESH KUMAR Advocate in SR. No. 86153

MM

JS/SKN.RSK/SAR.3/13.11.2017/3P-4C

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