



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.12.2017

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

W.P. (MD) No.23621 of 2017

V.Kathiresan

... Petitioner

Vs.

The Inspector of Police,
Kadupatti Police Station,
Madurai 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 accord permission and provide adequate police protection for conducting "Adal Padal Cultural Programme" which is scheduled to be taken place on 02.01.2018 in connection with Vaikuntha Ekadashi Festival of "Arulmeghu Sithiratha Vallabaperumal Temple" at Kuruvithurai Village, Vadipatti Taluk, Madurai District.

For Petitioner : Mr.M.Pitchai Muthu

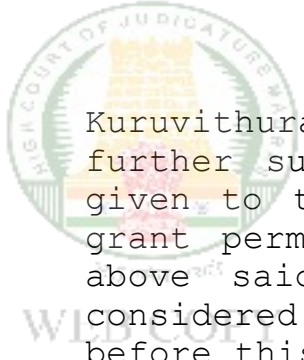
For Respondent : Mr.D.Muruganantham,
Additional Government Pleader.

O R D E R

This Writ petition is filed for issuing a Writ of Mandamus, directing the respondent to accord permission and provide adequate police protection for conducting "Adal Padal Cultural Programme" which is scheduled to be taken place on 02.01.2018 in connection with "Vaikuntha Ekadashi" festival of "Arulmighu Sithiratha Vallabaperumal Temple" at Kuruvithurai Village, Vadipatti Taluk, Madurai 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 "Adal Padal" Cultural Programme on 02.01.2018 in connection with "Vaikuntha Ekadashi" festival in "Arulmighu Sithiratha Vallabaperumal Temple", at



Kuruvithurai Village, Vadipatti Taluk, Madurai District. He further submitted that in this connection, a representation was given to the second respondent on 15.12.2017, 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" Cultural 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, Kadupatti Police Station, Madurai District, is directed to consider the representation of the petitioner, dated 15.12.2017 and to give permission and to provide police protection for "Adal Padal" Cultural programme in connection with "Vaikuntha Ekadashi" festival in "Arulmighu Sithiratha Vallabaperumal Temple", at Kuruvithurai Village, Vadipatti Taluk, Madurai District, scheduled to be held on 02.01.2018, subject to the following conditions;

*(a) the **"Adal Padal"** Cultural programme in connection with "Vaikuntha Ekadashi" festival in "Arulmighu Sithiratha Vallabaperumal Temple", at Kuruvithurai Village, Vadipatti Taluk, Madurai District, scheduled to be held on **02.01.2018** 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;

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(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 (CS-I)

/True Copy/

Sub Assistant Registrar

To

The Inspector of Police,
Kadupatti Police Station,
Madurai District.

+1cc to Spl.Government Pleader Sr.No.94812

PMU

VB/SV/MMS/SAR3/27/12/2017/3P/3C

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