



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.12.2017

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THE HON'BLE MR.JUSTICE S.S.SUNDAR
W.P.(MD) No.23814 of 2017

S.Yesu

... Petitioner

-Vs-

The Inspector of Police,
Uthamapalayam Police Station,
Theni District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondent to grant permission to perform the Aadal Padal programme on 30.12.2017 at CSI Church of South India, is situated at Pudupatti, Uthamapalayam, Theni District and to provide adequate police protection based on the petitioners representations dated 18.12.2017.

For Petitioner : Mr.A.Maniraja

For Respondent : Mr.D.Muruganandam

Additional Government Pleader.

O R D E R

This Writ petition has been filed for issuing a Writ of Mandamus, to direct the respondent to grant permission to perform the Aadal Padal programme on 30.12.2017 at CSI Church of South India, is situated at Pudupatti, Uthamapalayam, Theni District and to provide adequate police protection based on the petitioners representations dated 18.12.2017.

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 30.12.2017 at CSI Church of South India, at Pudupatti, Uthamapalayam, Theni District. He further submitted that in this connection, a representation was given to the respondent on 18.12.2017, 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" 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, Uthamapalayam Police Station, Theni District, is directed to consider the representation of the petitioner, dated 18.12.2017 and to give permission and to provide police protection for "Adal Padal" programme at CSI Church of South India at K.Pudupatti, Uthamapalayam, Theni District, scheduled to be held on 30.12.2017, subject to the following conditions;

(a) the "Adal Padal" programme at CSI Church of South India at K.Pudupatti, Uthamapalayam, Theni District, scheduled to be held on 30.12.2017 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 ~~organiser~~ of the programme be made responsible for the same.



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.

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/True Copy/

Sd/-

Assistant Registrar(T&P)

Sub Assistant Registrar

To
The Inspector of Police,
Uthamapalayam Police Station,
Theni District.

+1CC to Mr.A.Maniraja, Advocate, SR.No. 94613
+1CC to the Special Government Pleader SR.No.95017

W.P.(MD) No. 23814 of 2017
22.12.2017

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AM/SV MMS /SAR 4/28.12.2017/3P/4C