



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.05.2019

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THE HONOURABLE MRS. JUSTICE T.KRISHNAVALLI

W.P. (MD) No.11891 of 2019

P.Kalaiselvan

... Petitioner

Vs.

1.The Superintendent of Police,
Trichy2.The Inspector of Police,
Manapparai Police Station
Trichy District

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the second respondent to grant permission to conduct Gramiya Kalai Nigalchi (Adal Padal) Programme on 12.05.2019 in Sri.Veppilai Perumal Swamy Temple, Manapparai, Trichy District and give adequate police protection in connection with the Temple festival based on my representation dated 02.05.2019.

For Petitioner : Mr.S. Pugalendhi

For Respondents : Mr.S.Chandrasekar

Additional Public Prosecutor

ORDER

This writ petition has been filed to to direct the second respondent to grant permission to conduct Gramiya Kalai Nigalchi (Adal Padal) Programme on 12.05.2019 in Sri.Veppilai Perumal Swamy Temple, Manapparai, Trichy District and to give necessary police protection to the said programme.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. The learned counsel for the petitioner would submit that the Villagers have conducted the temple festival every year peacefully. As per the tradition and customs, this year also the Villagers have planned to conduct ''Gramiya Kalai Nigalchi (Adal Padal)'' **Programme** on 12.05.2019 at about 08.00 p.m. to 11.00 p.m. In this regard, the petitioner gave a representation to the respondents on 02.05.2019. Since no action has been taken, the present writ petition has been filed.

4. The learned Additional Public Prosecutor appearing for the respondents would submit that the respondents have no serious objection. He further submitted that permission may be granted subject to stringent conditions.



5. Considering the facts and circumstances of the case, this Court grants permission to conduct **'Gramiya Kalai Nigalchi (Adal Padal)' Programme** on 12.05.2019 between 08.00 p.m., and 11.00 p.m., and the Writ Petition is disposed of with the following directions:

The second respondent / Inspector of Police, Manapparai Police Station, Trichy District, is directed to consider the representation of the petitioner, dated 02.05.2019 and to give permission and to provide police protection for **'Gramiya Kalai Nigalchi (Adal Padal)' Programme** in the festival of 'Sri.Veppilai Perumal Swamy Temple, Manapparai, Trichy District, scheduled to be held on 12.05.2019, subject to the following conditions:-

(a) **'Gramiya Kalai Nigalchi (Adal Padal)' Programme** done in 'Sri.Veppilai Perumal Swamy Temple, at Manapparai, Trichy District', scheduled to be held on 12.05.2019, should be completed before 11.00 p.m.

(b) There should not be any kind of obscene dance or vulgar dialogues during the performance, by anyone of the participants.

(c) Double meaning songs should not be played as they will spoil the minds of students and youths.

(d) No dance or songs, touching upon any political party or religion or community or caste shall be played.

(e) No flex boards in support of any political party or communal leader, shall be erected at the premises of the programme.

(f) No price shall be given in the name of any political party or in the name of any Member associated with any political party.

(g) The function shall not affect either religious or communal harmony and shall be conducted without any discrimination based on caste.

(h) If there is 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 forthwith; and

(i) Similarly, the police is directed to stop the dance programme, if it is conducted beyond the permitted time limit.

(j) The petitioner as well as the organizers shall give a letter of undertaking agreeing to strictly adhere to the above conditions.



6. It is open to the second respondent police to put any further restrictions or to impose any conditions purely in the interest of preserving public order and tranquility. There can be a total ban for putting up any Flex Board representing any community. No costs.

WEB COPY

Sd/-

Assistant Registrar (AE)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Superintendent of Police,
Trichy

2. The Inspector of Police,
Manapparai Police Station
Trichy District

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr. S. PUGALENDHI, Advocate, SR.No. 65688

Order made in

W.P. (MD) No. 11891 of 2019

AAV

KK/SAR/10.05.2019/ 3P- 5C

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