



WEB COPY

1

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 05.08.2016
CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD)No.14071 of 2016

S.Kannan

... Petitioner

-vs-

1.The Deputy Superintendent of Police
Nanguneri, Tirunelveli District

2.The Sub Inspector of Police,
Moolakkaraipatti Police Station,
Nanguneri Taluk
Tirunelveli District

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the 2nd respondent to grant permission to conduct the "Kodai Vizha Festival" as well as other programmes and also to conduct the Innisai Katcheri on 10.08.2016 and the temples namely "Sri Moopidathi Amman Temple" at Moolakkaraipatti Village Nanguneri Taluk Tirunelveli District.

For Petitioner : M/s.R.Suresh

For Respondents : Mr.D.Muruganandham
Addl. Govt. Pleader

O R D E R

The writ petition has been filed for issuance of a Writ of Mandamus, directing the 2nd respondent to grant permission to conduct the "Kodai Vizha Festival" as well as other programmes and also to conduct the Innisai Katcheri on 10.08.2016 and the temples namely "Sri Moopidathi Amman Temple" at Moolakkaraipatti Village Nanguneri Taluk Tirunelveli District.

2.Mr.D.Muruganandham, learned Additional Government Pleader, takes notice for the respondents. By consent, the writ petition itself is taken up for final disposal.

3.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

4.The learned counsel appearing for the petitioner would submit that the programme is being conducted by the villagers regularly in order to promote harmony during the above said festival period; that a representation was given to the 2nd respondent, but, however, the same was not considered by the 2nd respondent so far and hence, the petitioner is before this Court with this writ petition. The learned counsel appearing for the petitioner would further submit that as the aforesaid programme is being conducted in a peaceful manner by the villagers, there will be no untoward incident on account of this celebration.



5. The learned Additional Government Pleader appearing for the respondents, on instructions, would submit that the permission sought for by the petitioner may be granted with appropriate and stringent conditions for maintaining law and order and also to avoid any untoward incident during performance of such programme.

6. Accordingly, in view of the submission made by the learned Additional Government Pleader, the Writ Petition is disposed of with the direction to the 2nd respondent police to accord permission to the petitioner to conduct **innisai Katcheri** programme in "Sri Moopidathi Amman Temple" at Moolakkaraipatti Village, Nanguneri Taluk, Tirunelveli District, scheduled on 10.08.2016 between 07.00 p.m., and 10.30 p.m., by incorporating the following conditions:

(a) Songs conveying obscene double meaning should not be played in order to avoid awkwardness;

(b) No songs, touching upon the conduct of any political party or community or caste be played;

(c) No flex boards in support of any political party or religious leader be erected;

(d) The programme shall be conducted without showing any discrimination based on caste / community etc., and it shall be ensured that it is towards promoting communal harmony;

(e) In respect of untoward incident occurring, the organizers of the programme be responsible for the same;

(f) If there is any violation of any of the conditions imposed, the concerned Police Officer is at liberty to take necessary action, as per law and stop such performance. No costs.

Sd/

Assistant Registrar(AE)

/TRUE COPY/

Sub Assistant Registrar

To

1. The Deputy Superintendent of Police
Nanguneri, Tirunelveli District

2. The Sub Inspector of Police,
Moolakkaraipatti Police Station,
Nanguneri Taluk
Tirunelveli District

3. The Additional Govt. Pleader,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.R.Suresh, Advocate in SR.No.42551

ORDER MADE IN
W.P (MD) No.14071 of 2016
05.08.2016

RR

PA/GSV-PM/SAB-III/08.08.2016/2P/5C (IT)
<https://hcservices.ecourts.gov.in/hcservices/>