



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

THE HON'BLE DR. JUSTICE S.VIMALA

W.P(MD)No.14176 of 2016

WEB COPY

S.Arumugam

... Petitioner

-Vs-

1.The Superintendent of Police,
Tirunelveli District, Tirunelveli.

2.The Inspector of Police,
Vadakku Vijaya Narayanam Police Station,
Tirunelveli District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent herein to grant permission to conduct Orchestra programme will be held on 17.08.2016 at about 08.00 p.m. to 11.00 p.m. Sri Alagiya Mannar Rajagopal Swami Thirukovil, Festival at Vadakku Vijaya Narayanam, Tirunelveli District and to given necessary police protection to the said programme.

For Petitioner : Mr.K.Sankar

For Respondents : Mr.D.Muruganandam,
Addl. Govt. Pleader.

O R D E R

The writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents to grant permission and protection to the petitioner to conduct "Orchestra" on 17.08.2016 from 8.00 p.m. to 11.00 p.m. during the temple festival of Sri Alagiya Mannar Rajagopal Swami Thirukovil, at Vadakku Vijaya Narayanam, Tirunelveli District.

2.Mr.D.Muruganandam, 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 respondents, but, however, the same was not considered 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 festival is celebrated in a peaceful manner by the villagers, there will be no



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 respondent police to accord permission to the petitioner to conduct **Orchestra programme** during the temple festival of Sri Alagiya Mannar Rajagopal Swami Thirukovil, at Vadakku Vijaya Narayanam, Tirunelveli District, scheduled to be held on 17.08.2016 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;

(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.

Sd/

Assistant Registrar(AE)

/TRUE COPY/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Tirunelveli District, Tirunelveli.

2.The Inspector of Police,
Vadakku Vijaya Narayanam Police Station,
Tirunelveli District.

+1cc to M/S.M.Perumal, Advocate in SR.No.42368

+1cc to Special Government Pleader in SR.No.42576

W.P (MD) No.14176 of 2016
05.08.2016

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PA/GSV-PM/SAR III/08.08.2016/2P/5C (IT)