



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 10.08.2016
CORAM

THE HON'BLE DR. JUSTICE S.VIMALA

W.P(MD)No.14466 of 2016

WEB COPY

Pulendranathan

... Petitioner

-vs-

1.The Superintendent of Police,
Thoothukudi District Thoothukudi

2.The Deputy Superintendent of Police,
Sathankulam
Thoothukudi District

3.The Inspector of Police,
Sathankulam Police Station,
Thoothukudi District

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the respondents to grant permission to the petitioner to perform orchestral programme (Innisai Katcheri) on 15.08.2016 during the celebration of Kodai festival at about 9.30 hours to Arulmigu Sri Santhanamariamman Temple Sathankulam Thoothukudi District forthwith in pursuance of the petitioners representation dated 30.07.2016.

For Petitioner : M/s.S.Palanivelayutham

For Respondent : 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 respondents to grant permission to the petitioner to perform orchestral programme (Innisai Katcheri) on 15.08.2016 during the celebration of Kodai festival at about 9.30 hours to Arulmigu Sri Santhanamariamman Temple Sathankulam Thoothukudi District forthwith in pursuance of the petitioners representation dated 30.07.2016.

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 harmony during the above said festival period; that a representation was given to the 3rd respondent, but, however, the same was not considered by the 3rd 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 festival is celebrated in a peaceful manner by the villagers, there will be no untoward incident on account of this celebration.

WEB COPY

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 3rd respondent police to accord permission to the petitioner to conduct **orchestral programme (Innisai Katcheri)** during the celebration of Kodai festival to Arulmigu Sri Santhanamariamman Temple, Sathankulam, Thoothukudi District, scheduled on 15.08.2016 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(AS)

/TRUE COPY/

Sub Assistant Registrar(CS-III)

To

1. The Superintendent of Police, Thoothukudi District Thoothukudi.

2. The Deputy Superintendent of Police,
Sathankulam, Thoothukudi District.

3. The Inspector of Police,
Sathankulam Police Station, Thoothukudi District.

+1cc to M/S.S.Palanivelayutham, Advocate in SR.No.43480

+1cc to Special Government Pleader in SR.No.43259

ORDER MADE IN
W.P(MD) No.14466 of 2016
10.08.2016

RR

PA/GSV-PM/SAR-III/11.08.2016/2P/6C (IT)
<https://hcservices.ecourts.gov.in/hcservices/>