



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 16.08.2016
CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD)No.15036 of 2016

WEB COPY

Velayutham Pillai

... Petitioner

-Vs-

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

2.The Inspector of Police,
Earuvadi 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 to grant permission and protection to conduct Innisai Katchari (Musical Concert) between 10.30 p.m. and 12.00 a.m. on 23.08.2016 in the eve of Arulmigu Muthalamman Kovil, Situated at Thalapathi Samuthiram, Melur, Nanguneri Taluk, Tirunelveli District, in pursuant to the petition dated 11.08.2016.

For Petitioner : Mr.V.Angusamy
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 herein to grant permission and protection to the petitioner to conduct "Innisai Kacheri (Musical Concert)" on 23.08.2016 in connection with the festival of Arulmigu Muthalamman Kovil, Thalapathi Samuthiram, Melur, Nanguneri Taluk, Tirunelveli District, based on the petitioner's representation dated 11.08.2016.

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 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 respondent police to accord permission to the petitioner to conduct **Innisai Katcheri (Music Concert)** in connection with the festival of Arulmigu Muthalamman Kovil, Thalapathi Samuthiram, Melur, Nanguneri Taluk, Tirunelveli District, scheduled to be held on 23.08.2016 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 (Records)

/True copy/

Sub Assistant Registrar

To

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

2. The Inspector of Police,

Earuvadi Police Station, Tirunelveli District.

+1 CC to Mr.V.ANGUSAMY, Advocate, SR No.44620

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No.44524

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