



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.08.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD)No.15247 of 2016

Veerasingh

... Petitioner

-vs-

1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli

2.The Sub Inspector of Police
Vijayanarayanam Police Station,
Vijayanarayanapuram,
Tirunelveli District

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of Certiorarified Mandamus by calling for the records pertaining to the order passed by the 2nd respondent in his proceedings in Nil dated 7.8.2016 and quash the same as illegal and consequently direct the respondents to grant permission to petitioner to conduct Light Music Program in Arultharaum Sri Mutharamman Koil on 30.08.2016.

For Petitioner : Mr.T.A.Ebenezer
For Respondents : Mr.D.Muruganandham
Addl. Govt. Pleader

O R D E R

The writ petition has been filed challenging the order passed by the 2nd respondent rejecting the request of the petitioner to conduct Light Music Program in Arultharaum Sri Mutharamman Koil on 30.08.2016.

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.

<https://hcservices.ecourts.gov.in/hcservices/>

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 rejected by the 2nd respondent 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 has been rejected by the 2nd respondent.

6. Perusal of the impugned order of rejection would go to show that the 2nd respondent has refused the permission and the reason as to why, the permission is not granted has not even been stated in the impugned order. Accordingly, the Writ Petition is allowed and the order of rejection is set aside. The 2nd respondent is directed to accord permission to the petitioner to conduct Light Music Program in Arultharaum Sri Mutharamman Koil scheduled on 30.08.2016, 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. Consequently connected Miscellaneous Petition is closed.

Sd/
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar.

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



2.The Sub Inspector of Police
Vijayanarayanam Police Station,
Vijayanarayanapuram.
Tirunelveli District

+1CC to M/S. T.A.Ebenzer, Advocate, SR.No. 45520
+1CC to the Special Government Pleader, SR.No. 45388

ORDER MADE IN
W.P (MD) No.15247 of 2016
18.08.2016

RR
AM/AAL.MPA/SAR-I/22.08.2016/3P/5C (IT)