



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2016

CORAM

WEB COPY

THE HON'BLE DR.JUSTICE S.VIMALAW.P(MD)No.15844 of 2016

T.Vaithilingam

... Petitioner

-vs-

- 1.The Superintendent of Police,
Tirunelveli District, Tirunelveli.
- 2.The Sub Inspector of Police,
Pavoorchathiram Police Station,
Tirunelveli District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the 2nd respondent dated 17.08.2016 and quash the same and consequently directing the respondents herein to grant permission and adequate police protection for conducting Villisai, Naiyandi Melam and Light Music on the eve of Sri Isaki Amman Sudaliyamadan Festival on 06.09.2016 at Alagamperumaloor (Avudaiyanoor) Village, Pavoorchatram, Tirunelveli district.

For Petitioner : Mr.D.Srinivasa Ragavan
For Respondents : Mr.D.Muruganandam,
Addl. Govt. Pleader.

O R D E R

The writ petition has been filed to quash the impugned order passed by the second respondent dated 17.08.2016 with the consequential direction to the second respondent to grant permission and adequate police protection for conducting Villisai, Naiyandi Melam and Light Music on the eve of Sri Isaki Amman Sudaliyamadan Festival on 06.09.2016 at Alagamperumaloor (Avudaiyanoor) Village, Pavoorchatram, 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 <https://www.indiacourts.gov.in> submitted 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 rejected and hence, the petitioner is before this Court with this writ petition. The

for the r
the notit

6.A perusal of the impugned order of rejection would go to show that the second respondent has refused to grant permission on the very general ground that there is likelihood of law and order problem and no specific reason has been adduced. Therefore, the impugned order dated 17.08.2016 is liable to be set aside.

(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.

Assistant Registrar (CS-I)

Sub-Assistant Registrar

W.P (MD) No.15844 of 2016
24/08/2016