



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.08.2016

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THE HON'BLE DR.JUSTICE S.VIMALAW.P(MD)Nos.16415 of 2016

P.V.Kathiravan

... Petitioner

-vs-

The Inspector of Police,
Alankulam Police Station,
Tirunelveli District.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to permit the petitioner for playing the Chenda Melam on 27.09.2016 between 08.00 am to 11.00 pm during the temple festival of Sri Muthura Amman Temple, 12/15-CSI Charge street, Alankulam & Taluk, Tirunelveli District.

For Petitioner : Mr.K.Veilmuthu

For Respondent : 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 respondent to permit the petitioner for playing the Chenda Melam on 27.09.2016 between 08.00 am to 11.00 pm during the temple festival of Sri Muthura Amman Temple, 12/15-CSI Charge street, Alankulam & Taluk, Tirunelveli District.

2.Mr.D.Muruganandam, learned Additional Government Pleader, takes notice for the respondent. 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 respondent.

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 respondent, 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 in the course of this celebration.



5. The learned Additional Government Pleader appearing for the respondent, 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.

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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 for playing *Chenda Melam* during the temple festival of Sri Muthura Amman Temple, 12/15-CSI Charge street, Alankulam & Taluk, Tirunelveli District., scheduled to be held on 27.09.2016 between 07.00 p.m. to 10.30 p.m. by incorporating the following conditions:-

(a) No flex boards in support of any political party or religious leader be erected in and around the place of playing chanda melam

(b) 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;

(c) In respect of untoward incident occurring, the organizers of the programme be responsible for the same;

(d) 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 (T&P)

/True Copy/

Sub-Assistant Registrar

To

The Inspector of Police,
Alankulam Police Station,
Tirunelveli District.

+One cc to Mr.K.Veilmuthu, Advocate, SR.No.48868

+One cc to The Special Government Pleader, SR.No.48959

Mj

RL/4C/2P/SK/SKN/SARIII/2/9/2016

W.P (MD) No.16415 of 2016 (3/3)

31.08.2016