



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.09.2016

CORAM:

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P(MD) No.17480 of 2016

WEB COPY

Muthu Nadar

... Petitioner

-vs-

The Inspector of Police,
Temple Police Station,
Tiruchendur,
Thoothukudi District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the respondent to grant permission and protection for cultural event namely Innisai Katcheri and Adal Padal programs scheduled to be held on 25.09.2016, 26.09.2016 and 29.09.2016 at night in connection with "Kodai Vizha" in Arulmigu Sri Muthumalaiamman Kovil, at South Nadar Street, Tiruchendur Village, Thoothukudi District by considering the petitioner's representation dated 01.09.2016.

For Petitioner : Mr.A.Thiyagarajan
For Respondents : Mr.K.P.Krishna Doss,
Govt. Advocate

O R D E R

The writ petition has been filed for issuance of a Writ of Mandamus, directing the respondent to grant permission and protection for cultural event namely Innisai Katcheri and Adal Padal programs scheduled to be held on 25.09.2016, 26.09.2016 and 29.09.2016 at night in connection with "Kodai Vizha" in Arulmigu Sri Muthumalaiamman Kovil, at South Nadar Street, Tiruchendur Village, Thoothukudi District by considering the petitioner's representation dated 01.09.2016.

2. Mr.K.P.Krishna Doss, learned Government Advocate, 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 Government Advocate 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 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 Government Advocate 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.

6. Accordingly, in view of the submission made by the learned Government Advocate, the Writ Petition is disposed of with the direction to the respondent police to accord permission to the petitioner and also police protection to perform the cultural event of Innisai Katcheri Programme on 25.09.2016, 26.09.2016 and 29.09.2016 in connection with the Kodai Vizha in Arulmigu Sri Muthalamman Kovil at South Nadar Street, Tiruchendur Village, Thoothukudi District between 7.00 p.m., and 10.30 p.m., by incorporating the following conditions:

(a) Songs / vulgar dialogues should be avoided during the programme;

(b) Songs conveying obscene double meaning should not be played in order to avoid awkwardness;

(c) No songs, touching upon the conduct of any political party or community or caste be played;

(d) No flex boards in support of any political party or religious leader be erected;

(e) 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;

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

(g) 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(CS-I)

/True Copy/

Sub Assistant Registrar.

To:

The Inspector of Police, Temple Police Station, Tiruchendur, Thoothukudi District.

+1CC to M/S.A.Thiyagarajan, Advocate, SR.No. 53093

+1CC to the Special Government Pleader, SR.No. 52871.

W.P.(MD)No.17480 of 2016

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