



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2016

CORAM:

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P(MD) No.18446 of 2016

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Arjunan

... Petitioner

-vs-

The Inspector of Police,
Thirukurangudi Police station,
Tirunelveli District.

... Respondents

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 adequate police protection to conduct the "Innisai Kacheri programme" on 28.09.2016 on the eve of temple Festival in the Tamil month of Puratasi festival "Sri Durgaiamman and Sri Utchimakali Amman Temple" is situated in Kezhavaneri, Achampattu Village, Radhapuram Taluk, Tirunelveli District based on the petitioner's representation dated 21.09.2016 within the time limit.

For Petitioner : Mr.M.Subash Babu
For Respondent : 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 adequate police protection to conduct the "Innisai Kacheri programme" on 28.09.2016 on the eve of temple Festival in the Tamil month of Puratasi festival "Sri Durgaiamman and Sri Utchimakali Amman Temple" is situated in Kezhavaneri, Achampattu Village, Radhapuram Taluk, Tirunelveli District based on the petitioner's representation dated 21.09.2016.

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 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 respondent, but, however, the same was not considered by 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.

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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 Additional Government Pleader, 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 28.09.2016 in connection with Puratasi festival "Sri Durgaiammam and Sri Utchimakali Amman Temple" is situated in Kezhavaneri, Achampattu Village, Radhapuram Taluk, Tirunelveli District, 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(W)

/TRUE COPY/

Sub Assistant Registrar

To:

The Inspector of Police, Thirukurangudi Police station,
Tirunelveli District.

+1cc to Special Government Pleader in SR.No.55870

+1c to Mr.M.Subash Babu, Advocate SR.No.56164

W.P. (MD) No.18446 of 2016

26.09.2016