



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2016

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THE HON'BLE MR. JUSTICE K.KALYANASUNDARAM

W.P(MD)No.18932 of 2016

K.Kaliappan

...Petitioner

-vs-

State rep. By
The Inspector of Police,
Vasudevanallur 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 give permission to conduct the Innisai Kacheri on 05.10.2016 from 07.00 pm at our temple Arulmigu Sri Pathirakali Amman Temple is situated at Vasudenallur, Sivagiri Taluk by considering the petitioners representation dated 26.09.2016.

For Petitioner : Mr.N.Balasubramanian

For Respondent : Mr.K.P.Krishna Doss
Government AdvocateORDER

The Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondent to give permission to conduct the Innisai Kacheri on 05.10.2016 from 07.00 pm at our temple Arulmigu Sri Pathirakali Amman Temple is situated at Vasudenallur, Sivagiri Taluk by considering the petitioners representation dated 26.09.2016.

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, 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.

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 to conduct Innidai Kacheri on account of Arulmigu Sri Pathirakali Amman Temple situated at Vasudevanallur, Sivagiri Taluk, scheduled to be held



on 05.10.2016, between 07.00 p.m. to 11.00 p.m. by incorporating the following conditions:-

(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.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court,
Madurai-23.

To
The Inspector of Police, Vasudevanallur Police Station,
Tirunelveli District.

+1cc to M/s.N.Balasubramanian, Advocate in SR.57713

W.P(MD)No.18932 of 2016
30.09.2016

ps

PBK/AAL-MPA/SAR-III 30/09/2016 ::2P-3C: (IT)