



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :04.10.2016

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P(MD)No.19219 of 2016

Sivakumar

... Petitioner

vs.

1. The Superintendent of Police,
Tirunelveli District, Tirunelveli.

2.The Deputy Superintendent of Police,
Alangulam Region,
Tirunelveli District.

3. The Inspector of Police,
Oothumalai Police Station,
Tirunelveli District.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the Respondents to grant permission to conduct cultural programme in connection with the temple festival scheduled from 09.10.2016 to 11.10.2016 in Arulmighu Kalamman Temple in Karuvandha Village, Veerakeralampudur Taluk, Tirunelveli District as stated in the representation dated 14.09.2016 given by the petitioner.

For Petitioner : Mr.R.J.Karthick
For Respondents : Mr.K.P.Krishna Doss
Government Advocate

ORDER

The writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents to grant permission and adequate police protection to the "Melam, Villisai and cultural Programme" programme scheduled on 11.10.2016 in connection with the temple festival of Arulmighu Kalamman Temple in Karuvandha Village, Veerakeralampudur Taluk, Tirunelveli District which is scheduled to be held from 09.10.2016 and 11.10.2016.

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

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 "Melam, Villisai and cultural Programme" in connection with yearly Thiru Vizha of Arulmighu Kaliasman Temple in Karuvandha Village, Veerakeralampudur Taluk, Tirunelveli District, scheduled to be held on **(*)09.10.2016 TO 11.10.2016** between 07.00 p.m. to 11.00 p.m. by incorporating the following conditions:-

(a) Obscene dance / 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 dance or 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) the participants of the programme shall not intake any kind of intoxicating substance or liquor during the programme;

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

(h) 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((AS)

**(*) Corrected as per the order of
this Hon'ble Court dated 07.10.2016**

/True copy/

Sub Assistant Registrar

To

**To be substituted as per order copy already despatched on
06.10.2016.**

1. The Superintendent of Police,
Tirunelveli District, Tirunelveli.
- 2.The Deputy Superintendent of Police,
Alangulam Region,Tirunelveli District.
3. The Inspector of Police,
Oothumalai Police Station, Tirunelveli District.

+1 cc to M/s.R.J.KARTHICK, ADVOCATE IN SR.NO.60203
+1 CC TO THE SPECIAL GOVERNMENT PLEADER IN SR.NO.59198

W.P (MD) No.19219 of 2016

CSL/DB/07.10.2016 :3P/6C