



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P. (MD) .No.19393 of 2016

WEB COPY

K.Ramaraj

.. Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District.

2.The Inspector of Police,
Surandai Police Station,
Tirunelveli District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to grant permission to the petitioner's temple festival for conducting Innisai Katcheri on 08.10.2016 and light music - Innisai Katcheri on 09.10.2016 at evening hours in Sri Muppudathi Amman Temple at Aladipatti, Surandai V.K.Pudhur Taluk, Tirunelveli District.

For Petitioner

: Mr.S.Ramesh Babu

For respondents

: Mr.K.P.Krishnados, G.A.

ORDER

The Writ Petition has been filed for issuance of a Writ of Mandamus, directing the 2nd respondent to grant permission to the petitioner's temple festival for conducting Innisai Katcheri on 08.10.2016 and light music - Innisai Katcheri on 09.10.2016 at evening hours in Sri Muppudathi Amman Temple at Aladipatti, Surandai V.K.Pudhur Taluk, Tirunelveli District.

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 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 2nd respondent police to accord permission to the petitioner to conduct Innisai Katcheri to be held on 08.10.2016 and light music - Innisai Katcheri to be held on 09.10.2016 in Sri Muppidathi Amman Temple at Aladipatti, Surandai V.K.Pudhur Taluk, Tirunelveli District 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(AE)

/True Copy/

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

To

1. The Superintendent of Police, Tirunelveli District.

2. The Inspector of Police, Surandai Police Station, Tirunelveli District.

+1cc to Mr.S.Ramesh Babu, Advocate in SR.59334

+1cc to the Special Government Pleader in SR.59387

W.P. (MD) No.19393 of 2016
05.10.2016

nbj

PBK/CK/SAR-I 06.10.2016 ::2P-5C:(IT)