

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 06.10.2016****CORAM**

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THE HON'BLE MR. JUSTICE K.KALYANASUNDARAM**W.P(MD)No.19530 of 2016**

Samidurai

... Petitioner

-vs-

The Inspector of Police,
Radhapuram 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 grant permission and adequate police protection to conduct the "Innisai Katcheri programmes" on 09.10.2016 and 10.10.2016 on the eve of temple festival in the Tamil month of Puratasi "Sri Mubidathi Amman, Sri Santhana Mariamman, Sri Utchini Makali Amman and Sri Bhairavar Temple" situate at Vepilangulam Village, Radhapuram Taluk. Tirunelveli District based on the petitioner's representation dated 04.10.2016 within the time limit as fixed by this Court.

For Petitioner : Mr. C.Susi Kumar
For Respondent : Mr.K.P.Krishna Doss
Government 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 Katcheri programmes" on 09.10.2016 and 10.10.2016 on the eve of temple festival in the Tamil month of Puratasi "Sri Mubidathi Amman, Sri Santhana Mariamman, Sri Utchini Makali Amman and Sri Bhairavar Temple" situate at Vepilangulam Village, Radhapuram Taluk. Tirunelveli District based on the petitioner's representation dated 04.10.2016 within the time limit as fixed by this Court.

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 respondents, 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 the "Innisai Katcheri programmes" on 09.10.2016 and 10.10.2016 on the eve of temple festival in the Tamil month of Puratasi "Sri Mubidathi Amman, Sri Santhana Mariamman, Sri Utchini Makali Amman and Sri Bhairavar Temple" situate at Vepilangulam Village, Radhapuram Taluk. Tirunelveli District between 07.00 p.m. to 10.30 p.m. on respective dates 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 (T&P)

/TRUE COPY/

Sub Assistant Registrar



To

The Inspector of Police,
Radhapuram Police Station,
Tirunelveli District.

+1cc to M/S.M.SUBASH BABU, ADVOCATE SR NO: 59533

+1cc to M/S.THE SPECIAL GOVERNMENT PLEADER, SR NO: 59860

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W.P (MD) No.19530 of 2016
06.10.2016