



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.10.2016

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THE HON'BLE MR. JUSTICE K.KALYANASUNDARAM

W.P (MD) No.19531 of 2016

S.Gnanavel

... Petitioner

-vs-

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

2.The Inspector of Police,
Koodankulam Police Station,
Koodankulam,
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 second respondent herein to grant permission to conduct Innisai Orchestral Programme on 13.10.2016 at Sri Sitthi Vinayakar Arulum Annai Sri Mutharamman Arul Atchiyudan Uvari Sri Suyambulinga Vanniyani Sastha Arulum Sri Masana Swami at Kodankulam Station Limit, Tirunelveli District during the celebration of temple festival in pursuance of the petitioner's representation dated 04.10.2016.

For Petitioner : Mr. S.Palani Velayutham

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 second respondent herein to grant permission to conduct Innisai Orchestral Programme on 13.10.2016 at Sri Sitthi Vinayakar Arulum Annai Sri Mutharamman Arul Atchiyudan Uvari Sri Suyambulinga Vanniyani Sastha Arulum Sri Masana Swami at Kodankulam Station Limit, Tirunelveli District during the celebration of temple festival in pursuance of the petitioner's representation dated 04.10.2016.

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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.

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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 respondents, 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 Innisai Orchestral Programme on 13.10.2016 at Sri Sitthi Vinayakar Arulum Annai Sri Mutharamman Arul Atchiyudan Uvari Sri Suyambulinga Vanniyani Sastha Arulum Sri Masana Swami at Kodankulam Station Limit, Tirunelveli District between 07.00 p.m. to 10.30 p.m. by incorporating the following conditions:-

(a) Songs conveying obscene double meaning should not be played;

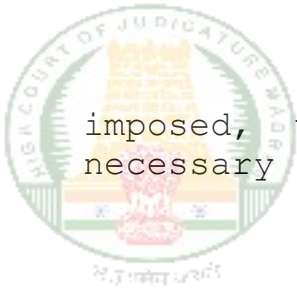
(b) No songs touching upon the conduct of any political party or community or caste be played;

(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 shall 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(CO)

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/True Copy/

Sub Assistant Registrar

To

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

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

+1cc to Mr.S.PALANI VELAYUTHAM, Advocate Sr.No. 59500

+1cc to Spl.Government Pleader Sr.No. 59861

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