



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.12.2016

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

W.P (MD) No.23582 of 2016

K.Kottalamuthu

... Petitioner

-vs-

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

2. The Inspector of Police,
Kurumbur Police Station,
Tiruchendur Taluk,
Thoothukudi District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the respondents to grant permission and protection for Innisai Kacheri Programme in the Pongal Vilaittu Vizha is scheduled to be held on 15.01.2017 at about 07.00 p.m., at Vellakovil, Sunganthalai Village, Tiruchendur Taluk, Thoothukudi District.

For Petitioner : Mr.K.Sathiya Singh
For Respondents : Mr.K.P.Krishna Doss,
Govt. Advocate

ORDER

The writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents to grant permission and protection for Innisai Kacheri Programme in the Pongal Vilaittu Vizha scheduled to be held on 15.01.2017 at about 07.00 p.m., at Vellakovil, Sunganthalai Village, Tiruchendur Taluk, Thoothukudi District.

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.

<https://hcservices.ecourts.gov.in/hcservices/>

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 respondents, but, however, the same was not considered by the respondents 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 Additional Government Pleader, the Writ Petition is disposed of with the direction to the respondent police to accord permission to the petitioner and also police protection to perform the cultural event of Innisai Katcheri Programme on 15.01.2017 between 07.00 p.m., and 10.30 p.m., in connection with Pongal Vilaittu Vizha at Vellakovil, Sunganthalai Village, Tiruchendur Taluk, Thoothukudi District, by incorporating the following conditions:

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

(g) 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-I)



To:

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

2. The Inspector of Police,
Kurumbur Police Station,
Tiruchendur Taluk,
Thoothukudi District.

+ 1 CC TO Mr.K.SATHIYA SINGH, ADVOCATE IN SR No. 79661
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 78952

PM

TE/KM/SAR-I : 20/12/2016 : 3P/5C (IT)

W.P. (MD) No.23582 of 2016
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