



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 11.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) No.12776 of 2017

WEB COPY

A.Mohan

... Petitioner

Vs.

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

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

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to grant permission and protection for Musical Program (Innisai Kacheri) perform in "Kodai Vizha" scheduled to be held on 13.07.2017 at Arulmigu Sri Pandri Madasamy Thirukovil at Vaithialingapuram, Nallur Village, Alangulam Taluk, Tirunelveli District by considering the petitioner's representation dated 08.07.2017.

For Petitioner : Mr.R.Karthic Rajan

For Respondents : Mr.A.Muthukaruppan,
Additional Government Pleader

O R D E R

The petitioner has come forward with this Writ Petition for issuance of a Writ of Mandamus seeking a direction to the respondent to grant permission and necessary protection to perform the cultural programme (ie.,) "Innisai Kacheri" on 13.07.2017 in the eve of the temple festival in "Arulmigu Sri Pandri Madasamy Thirukovil ar Vaithialingapuram, Nallur Village, Alangulam Taluk, Tirunelveli District, by considering the petitioner's representation, dated 08.07.2017.

2. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Innisai Kacheri" programme on 13.07.2017 in connection with a festival of "Arulmigu Sri Pandri Madasamy Thirukovil at Vaithialingapuram, Nallur Village, Alangulam Taluk, Tirunelveli District. He further submitted that in this connection, a representation was given to the respondent on 08.07.2017, with a request to grant permission and protection to conduct the programme on the above said date. However, the respondent Police has not yet considered the said

representation and hence, the petitioner is before this Court with this Writ Petition.

3. The learned Additional Government Pleader appearing for the respondent submitted that this Court may grant permission for "Innisai Kacheri" programme with stringent conditions. He further submitted that there is no antecedents or untoward incidents were reported in conducting the "Innisai Kacheri" programme in the past.

4. Considering the facts and circumstances of the case, this Court is inclined to issue a direction to the second respondent/ the Sub-Inspector of Police, Alangulam Police Station, Tirunelveli District, to consider the representation of the petitioner, dated 08.07.2017 and to give permission and to provide police protection for "Innisai Kacheri" programme in connection with the festival of "Arulmigu Sri Pandri Madasamy Thirukovil at Vaithialingapuram, Nallur Village, Alangulam Taluk, Tirunelveli District, scheduled to be held on 13.07.2017 subject to the following conditions:

(a) the "Innisai Kacheri" programme in connection with the festival at "Arulmigu Sri Pandri Madasamy Thirukovil at Vaithialingapuram, Nallur Village, Alangulam Taluk, Tirunelveli District, scheduled to be held on 13.07.2017 should be completed before 10.30 p.m.

(b) there should not be any kind of vulgar dialogues during the performance, by any one of the participants;

(c) double meaning songs should not be played so as to spoil the minds of students and the youth;

(d) no dance or songs, touching upon any political party or religion, community or caste be played;

(e) no flex boards in support of any political party or religious leader be erected;

(f) the function should not affect either religious or communal harmony and shall be conducted without any discrimination based on caste;

(g) if there is any violation of any one of the conditions imposed, the concerned Police Officer is at liberty to take necessary action, as per law and stop such performance;

(h) similarly, the Police is empowered to stop the dance programme, if it exceeds beyond the permitted time;

(i) the participants of the programme shall not intake any kind of in-toxic substance or liquor during the programme; and

(j) if any untoward incident takes place, the organizers of the programme be made responsible for the

6. It is open to respondent police to put any reasonable



restrictions or to impose any conditions purely in the interest of preserving public order and tranquillity. There can be a total ban for putting of any Flex Boards representing any community.

7. With the above direction, the Writ petition is disposed of. No costs.

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

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

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

+1cc to Mr.R.Karthick Rajan, Advocate, SR.64625

W.P. (MD) No.12776 of 2017
11.07.2017

DAS/PJL
KK/SKN RSK/SAR2-12.07.2017-3P-4C