



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

W.P. (MD) No.12787 of 2017

R.Maniraja

... Petitioner

Vs.

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

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondent to grant permission and protection to conduct light music programme scheduled to be taken place on 15.07.2017 between 9.00 p.m. to 2.00 a.m. of 16.07.2017 in connection with 115th anniversary of Mr.K.Kamarajar.

For Petitioner : Mr.J.Pooventherearajan

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

ORDER

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.,) "Light Music" from 09.00 p.m. on 15.07.2017 to 02.00 a.m. on 16.07.2017 in the eve of 115th anniversary of Mr.K.Kamarajar, by considering the petitioner's representation, dated 06.07.2017.

2.The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "light music" programme from 09.00 p.m. on 15.07.2017 to 02.00 a.m. on 16.07.2017 in connection with 115th anniversary of Mr.K.Kamarajar. He further submitted that in this connection, a representation was given to the respondent on 06.07.2017, 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 produced a copy of the letter, dated 11.07.2017, received from the Inspector of Police, Thirukurunkudi Police Station, Tirunelveli District. In the letter, the Inspector of Police stated that though permission is sought for from 09.00 p.m. on 15.07.2017 to 02.00 O'clock on the next day, serious objection is raised by the Inspector of Police and he requested this Court to permit the petitioner to conduct "Light Music" programme between 7.30 p.m. and 10.00 p.m.

4. Taking into account the objection of the respondent, this Court is inclined to dispose of the writ petition with a direction to the respondent/Inspector of Police, Thirukurunkudi Police Station, Tirunelveli District, to consider the representation of the petitioner, dated 06.07.2017 and to give permission and to provide police protection for conducting "Light Music" programme on 15.07.2017 in connection with 115th anniversary of Mr.K.Kamarajar, subject to the following conditions and any other reasonable restrictions that may be imposed by the respondent in order to maintain law and order and communal harmony:

(a) the "Light Music" programme in connection with 115th anniversary of Mr.K.Kamarajar, scheduled to be held on 15.07.2017 should be completed before 10.30 p.m.

(b) there should not be any kind of obscene dance or 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

(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 same.

No costs.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar

To

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

+1cc to Mr.J.Pooventherarajan, Advocate in SR.No.64601
+1cc to Special Government Pleader in SR.No.64994

srm/ia

AE/MR KKR/SAR1/14.07.2017/3P/4C

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