



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.07.2017

CORAM

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THE HON'BLE MR.JUSTICE S.S.SUNDAR

W.P.(MD) No.13267 of 2017

S.Murali

... Petitioner

-Vs-

1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli

2.The Deputy Superintendent of Police,
Valliyoor Taluk,
Tirunelveli District.

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

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to give the permission and police protection for conducting Aadal Paadal Innisai Katcheri Programme on 24.07.2017 night at about 8.00 PM to 11.00 PM in the event of Kodai Festival for the Arulmigu Sri Thennattu Nangai Amman Temple situated at Samugarengapuram, Radhapuram Taluk, Tirunelveli District on the basis of petitioner's representation dated 04.07.2017.

For Petitioner : Mr.S.Vinayak

For Respondents : Mr.A.K.Baskarapandiyam,
Special Government Pleader.

O R D E R

This Writ petition is filed for issuing a Writ of Mandamus seeking a direction to the respondents herein to give the permission and police protection for conducting Aadal Paadal Innisai Katcheri Programme on 24.07.2017 night at about 8.00 PM to 11.00 PM in the event of Kodai Festival for the Arulmigu Sri Thennattu Nangai Amman Temple situated at Samugarengapuram,



Radhapuram Taluk, Tirunelveli District on the basis of petitioner's representation dated 04.07.2017.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondent.

3. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Adal Paadal Innisai Katcheri" programme on 24.07.2017 in connection with the Kodai Festival "Arulmigu Sri Thennattu Nangai Amman Temple", at Samugarengapuram, Radhapuram Taluk, Tirunelveli District. He further submitted that in this connection, a representation was given to the respondent on 04.07.2017, 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.

4. The learned Special Government Pleader appearing for the respondent submitted that this Court may grant permission for "Adal Paadal Innisai Katcheri" dance programme subject to stringent conditions.

5. Considering the facts and circumstances of the case, the Writ Petition is disposed of with the following directions:

The respondent/The Inspector of Police, Radhapuram Police Station, Radhapuram, Tirunelveli District, is directed to consider the representation of the petitioner, dated 04.07.2017 and to give permission and to provide police protection for "Adal Paadal Innisai Katcheri" programme in connection with the Kodai Festival in "Arulmigu Sri Thennattu Nangai Amman Temple", at Samugarengapuram, Radhapuram Taluk, Tirunelveli District, scheduled to be held on 24.07.2017, subject to the following conditions;

(a) the "Adal Paadal Innisai Katcheri" programme in connection with the Kodai Festival in "Arulmigu Sri Thennattu Nangai Amman Temple", at Samugarengapuram, Radhapuram Taluk, Tirunelveli District, scheduled to be held on 24.07.2017 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 or 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 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.

6. It is open to respondent police to put any further restrictions or to impose any conditions purely in the interest of preserving public order and tranquillity. There can be a total ban for putting up any Flex Boards representing any community. No costs.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Superintendent of Police,
Tirunelveli District, Tirunelveli
- 2.The Deputy Superintendent of Police,
Valliyoor Taluk, Tirunelveli District.
- 3.The Sub Inspector of Police,
Radhapuram Police Station,
Radhapuram, Tirunelveli District.

+One cc to Mr.S.Vinayak, Advocate, SR.No.66875

+One cc to The Special Government Pleader, SR.No.66628

gns/srm

RL/6C/3P/SV/SAR1/21/7/2017

W.P(MD)No.13267 of 2017