



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.07.2017

CORAM

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.(MD) No. 13333 of 2017

K.Mari Selvam

... Petitioner

-Vs-

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

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

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, to direct the respondents herein to give necessary police protection and permit the petitioner to conduct Karakattam on 28.07.2017 Villisai on 29.07.2017 and Innisai Kacheri on 30.07.2017 Cultural Programme during in "Sri Ramasamy Temple" situated at Thalaiuthu, Alangulam Taluk, Tirunelveli District.

For Petitioner	: Mr.R.Mathava Selvam
For Respondents	: Mr.A.K.Baskara Pandian Special Government Pleader

O R D E R

The petitioner has come forward with this Writ Petition for issuance of a Writ of Mandamus, to direct the respondents herein to give necessary police protection and permit the petitioner to conduct Karakattam on 28.07.2017 Villisai on 29.07.2017 and Innisai Kacheri on 30.07.2017 Cultural Programme during in "Sri Ramasamy Temple" situated at Thalaiuthu, Alangulam Taluk, Tirunelveli District.

2. The learned counsel for the petitioner would submit that the villagers jointly decided to conduct Karakattam on 28.07.2017 Villisai on 29.07.2017 and Innisai Kacheri on 30.07.2017 Cultural Programme during in connection with a festival in "Sri Ramasamy Temple" situated at Thalaiuthu, Alangulam Taluk, Tirunelveli District. He would further submit that in this connection, a representation was given to the respondent on 07.07.2017, with a



request to grant permission and protection to conduct the programme on the above said date and the same was rejected by the second respondent, the petitioner is before this Court with this Writ Petition.

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

4. Since the "Karakattam", "Villisai" and "Innisai Kacheri" are recognised as cultural programmes with reference to temple festival, in almost several part of the state, this Court is inclined to give the following direction:

"The second respondent/Inspector of Police, Kadayam Police Station, Alangulam Taluk, Tirunelveli District, is directed to permit the petitioner and villagers to conduct Karakattam on 28.07.2017 Villisai on 29.07.2017 and Innisai Kacheri on 30.07.2017 Cultural Programme during in "Sri Ramasamy Temple" situated at Thalaiuthu, Alangulam Taluk, Tirunelveli District, subject to the following conditions and any other reasonable restrictions that may be imposed by the respondent in the interest of public and to preserve the law and order"

(a) the Karakattam on 28.07.2017 Villisai on 29.07.2017 and Innisai Kacheri on 30.07.2017 Cultural Programme during in "Sri Ramasamy Temple" situated at Thalaiuthu, Alangulam Taluk, Tirunelveli District should be completed adhering to the timings specified by the respondents.

(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 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

<https://hcservices.ecourts.gov.in/hcservices/> untoward incident takes place, the organizers of the programme be made responsible for the same.



5. With the above directions, the Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CSI)

/True Copy/

Sub-Assistant Registrar

To

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

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

+One cc to Mr.R.Mathava Selvam, Advocate, SR.No.66490

+One cc to The Special Government Pleader, SR.No.66620

gsp

RL/5C/3P/KP/SAR1/25/7/2017

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