



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.07.2017

CORAM

WEB COPY

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

W.P.(MD) No.13935 of 2017

N.Goapala Krishnan

... Petitioner

-Vs-

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

2.The Inspector of Police,
Kalakad Police Station,
Nanguneri Taluk,
Tirunelveli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to grant permission and protection to conduct "Innisai Katcheri" on 02.08.2017 at night 8.00 p.m. to 11.30 p.m. in connection with the Sri Arulmigu Vanuvalanattan Amman Kovil Festival, Padmaneri Village, Nanguneri Taluk, Tirunelveli District by considering the petitioner's representation dated 14.07.2017.

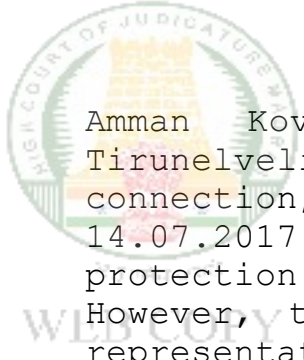
For Petitioner : Mr.S.R.Anbarasu
For Respondents : Mr.A.K.Baskarapandian,
Special Government Pleader.

O R D E R

This Writ petition is filed for issuing a Writ of Mandamus directing the respondents to grant permission and protection to conduct "Innisai Katcheri" on 02.08.2017 at night 8.00 p.m. to 11.30 p.m. in connection with the Sri Arulmigu Vanuvalanattan Amman Kovil Festival, Padmaneri Village, Nanguneri Taluk, Tirunelveli District by considering the petitioner's representation dated 14.07.2017.

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

<https://hcservices.courts.tn.in/hcservices>
3. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Innisai Katcheri" on 02.08.2017 in connection with the Sri Arulmigu Vanuvalanattan



Amman Kovil Festival, Padmaneri Village, Nanguneri Taluk, Tirunelveli District. He further submitted that in this connection, representations were given to the respondent on 14.07.2017 and 25.07.2017, 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 granting permission to conduct the "Innisai katcheri" is likely to attract more crowd from the neighbouring villages and there is a likelihood of law and order problem. When enquired, the learned Special Government Pleader reported that no untoward incident happened.

5. Considering the facts and circumstances of the case, the Writ Petition is disposed of with a direction to the second respondent / The Inspector of Police, Kalakad Police Station, Nanguneri Taluk, Tirunelveli District, is directed to consider the representations of the petitioner, dated 14.07.2017 and 25.07.2017 and to give permission and to provide police protection for Innisai Katcheri on 02.08.2017 in connection with the Sri Arulmigu Vanuvalanattan Amman Kovil Festival, Padmaneri Village, Nanguneri Taluk, Tirunelveli District, scheduled to be held on 02.08.2017, subject to the following conditions;

(a) the "Innisai Katcheri" in connection with the Sri Arulmigu Vanuvalanattan Amman Kovil Festival, Padmaneri Village, Nanguneri Taluk, Tirunelveli District, is scheduled to be held on 02.08.2017 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 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.

/True Copy/

Sd/-
Assistant Registrar(T&P)

Sub-Assistant Registrar

To

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

2.The Inspector of Police,
Kalakad Police Station,
Nanguneri Taluk,
Tirunelveli District.

+One cc to M/s.S.R.Anbarasu , Advocate, SR.No.68513

+One cc to The Special Government Pleader, SR.No.69049

cp/mm
RL/5C/3P/SV/AAM/SAR4/1/8/2017

W.P.(MD) No. 13935 of 2017

27.07.2017