



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.07.2017

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

W.P. (MD) No.13968 of 2017

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V.Ganesan

... Petitioner

-Vs-

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

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to grant permission to perform the cultural program of "Innisai Katcheri" on 01.08.2017 night at Arulmigu Perumal Sri Mutharamman Thirukovil is situated at Mayaneri, Nanguneri Taluk, Tirunelveli District and to provide adequate police protection based on the petitioner's representation dated 25.07.2017.

For Petitioner : Mr.S.R.M.Kumaresh

For Respondent : 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 respondent to grant permission to perform the cultural program of "Innisai Katcheri" on 01.08.2017 night at Arulmigu Perumal Sri Mutharamman Thirukovil is situated at Mayaneri, Nanguneri Taluk, Tirunelveli District and to provide adequate police protection based on the petitioner's representation dated 25.07.2017.

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 cultural program of "Innisai Katcheri" on 01.08.2017 in Arulmigu Perumal Sri Mutharamman Thirukovil is situated at Mayaneri, Nanguneri Taluk, Tirunelveli District. He further submitted that in this connection, a representation was given to the respondent on 25.07.2017, with a request to grant permission and protection to conduct the programme on the above said date. However, the respondent police 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 cultural program of "Innisai Katcheri" subject to stringent conditions.

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5. Considering the facts and circumstances of the case, the Writ Petition is disposed of with a direction to the respondent/The Inspector of Police, Nanguneri Police Station, Nanguneri, Tirunelveli District, is directed to consider the representation of the petitioner, dated 25.07.2017 and to give permission and to provide police protection for cultural program of "Innisai Katcheri" in Arulmigu Perumal Sri Mutharamman Thirukovil is situated at Mayaneri, Nanguneri Taluk, Tirunelveli District, scheduled to be held on 01.08.2017, subject to the following conditions;

(a) the cultural program of "Innisai Kacheri" in Arulmigu Perumal Sri Mutharamman Thirukovil is situated at Mayaneri, Nanguneri Taluk, Tirunelveli District, scheduled to be held on 01.08.2017 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 use 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(CO)

/True copy/

Sub Assistant Registrar

To

The Inspector of Police,
Nanguneri Police Station,
Nanguneri, Tirunelveli District.
+1cc to M/S.Special Government Pleader,SR. 69051
+1cc to Mr.S.K.M.Kumaresh,Advocate,SR. 68578

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27.07.2017

CP/MM
KK/SKN RSK/SAR 2/31.07.2017/ 3P-4C/