

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 03.08.2017

CORAM

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THE HON'BLE MR.JUSTICE S.S.SUNDAR**W.P. (MD) No.14423 of 2017**

Chinnamadasamy

... Petitioner

-Vs-

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

2. The Inspector of Police,
Vasudevanallur Police Station,
Tirunelveli District.

... Respondents

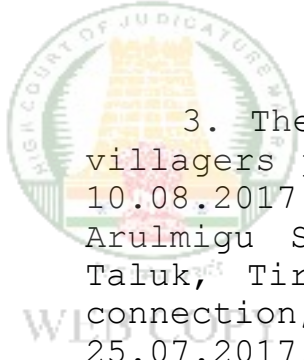
Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to grant permission and protection for Vilisai Pattu scheduled to be held on 10.08.2017 and 11.08.2017 at night 09.00 to 02.00 hours in connection with the "Kodai Vizha" in Arulmigu Sudalaimadasamy Kovil at Naranapuram Village, Sivagiri Taluk, Tirunelveli District, by considering the petitioner's representation dated 25.07.2017.

For Petitioner : Mr.A.Robinson.

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 directing the respondent to grant permission and protection for Vilisai Pattu scheduled to be held on 10.08.2017 and 11.08.2017 at night 09.00 to 02.00 hours in connection with the "Kodai Vizha" in Arulmigu Sudalaimadasamy Kovil at Naranapuram Village, Sivagiri Taluk, Tirunelveli District, by considering 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 respondents.



3. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Vilisai Pattu" programmes on 10.08.2017 and 11.08.2017 in connection with "Kodai Vizha" in Arulmigu Sudalaimadasamy Kovil at Naranapuram Village, Sivagiri 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 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 "Vilisai Pattu" 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 second respondent/The Inspector of Police, Vasudevanallur Police Station, 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 "Vilisai Pattu" programme in connection with "Kodai Vizha" in Arulmigu Sudalaimadasamy Kovil at Naranapuram Village, Sivagiri Taluk, Tirunelveli District, scheduled to be held on 10.08.2017 and 11.08.2017, subject to the following conditions;

(a) the "Vilisai Pattu" programme in connection with the "Kodai Vizha" in Arulmigu Sudalaimadasamy Kovil at Naranapuram Village, Sivagiri Taluk, Tirunelveli District, scheduled to be held on 10.08.2017 and 11.08.2017 should be completed before 10.30 p.m.

(b) double meaning songs should not be played so as to spoil the minds of students and the youth;

(c) no songs, touching upon any political party or religion, community or caste be played;

(d) no flex boards in support of any political party or religious leader be erected;

(e) the function should not affect either religious or communal harmony and shall be conducted without any discrimination based on caste;

(f) 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;



(g) similarly, the Police is empowered to stop the programme, if it exceeds beyond the permitted time;

(h) the participants of the programme shall not intake any kind of in-toxic substance or liquor during the programme; and

(i) 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()

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Tirunelveli District, Tirunelveli.
2. The Inspector of Police,
Vasudevanallur Police Station,
Tirunelveli District.

+1cc to M/S. A.ROBINSON, Advocate, SR.No.70080.
+1cc to Special Government Pleader, SR.No.70920.

W.P.(MD) No. 14423 of 2017
03.08.2017

cp/dsk
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