



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.08.2017

CORAM

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

W.P. (MD) No.14705 of 2017

WEB COPY

K.Balamurugan

... Petitioner

-Vs-

1.The Commissioner of Police,
Madurai City, Madurai.

2.The Inspector of Police,
Karimedu Police Station,
Madurai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to grant permission for conducting Gramiya Kalai Nigalchi scheduled on 10.08.2017 to 13.08.2017 between 7 p.m to 10 p.m in pursuance with the 43rd Urchava Vizha of Arulmigu Kaliyamman Thirukovil situate at Manjalmedu Colony, Arapalayam, Madurai within a stipulated time period on the basis of the representation dated 02.08.2017.

For Petitioner : Mr.S.Vijaya Kumara Raja
For Respondents : Mr.A.K.Baskarapandiyan,
Special Government Pleader.

O R D E R

This Writ petition is filed for issuing a Writ of Mandamus, to direct the respondents to grant permission for conducting Gramiya Kalai Nigalchi scheduled on 10.08.2017 to 13.08.2017 between 7 p.m to 10 p.m in pursuance with the 43rd Urchava Vizha of Arulmigu Kaliyamman Thirukovil situate at Manjalmedu Colony, Arapalayam, Madurai within a stipulated time period on the basis of the representation dated 02.08.2017.

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 "Gramiya Kalai Nigalchi" programme on 10.08.2017 to 13.08.2017 in connection with the temple festival of Arulmigu Kaliyamman Thirukovil situate at Manjalmedu Colony, Arapalayam, Madurai. He further submitted that in pursuance with the representation, a representation was given to the respondent on 02.08.2017, 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 "Gramiya Kalai Nigalchi" 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, Karimedu Police Station, Madurai, is directed to consider the representation of the petitioner, dated 02.08.2017 and to give permission and to provide police protection for "Gramiya Kalai Nigalchi" programme in connection with the temple festival of Arulmigu Kaliyamman Thirukovil situate at Manjalmedu Colony, Arapalayam, Madurai, scheduled to be held on 10.08.2017 to 13.08.2017, subject to the following conditions;

(a) the "Gramiya Kalai Nigalchi" programme in connection with the temple festival of Arulmigu Kaliyamman Thirukovil situate at Manjalmedu Colony, Arapalayam, Madurai, scheduled to be held on 10.08.2017 to 13.08.2017 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



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 Commissioner of Police,
Madurai City, Madurai.

2.The Inspector of Police,
Karimedu Police Station,
Madurai.

+1cc to M/S.C.Senthil Murugan, Advocate SR.No. 71134

W.P.(MD) No. 14705 of 2017
08.08.2017

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JM/SV AA/SAR 2/09.08.2017/3P/4C