



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.08.2017

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) No.15520 of 2017

C.Jegaveerapandiyan

... Petitioner

-Vs-

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

2. The Inspector of Police,
Sathankulam Police Station,
Sathankulam,
Thoothukudi District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents particularly the second respondent to provide police protection as well permission for the events as annexed herewith separately by the Kodai Festival Committee of Arulmigu Thiru Mutharaman Thirukovil, situated at Subbarayapuram, Thoothukudi District, from 27.08.2017 to 02.09.2017 forthwith in pursuance of the petitioner's representation dated 11.08.2017.

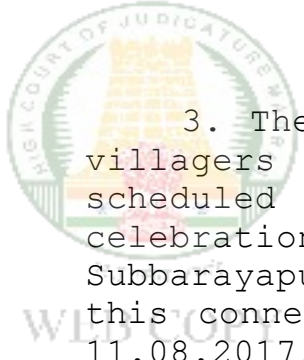
For Petitioner : Mr.S.Palani Velayutham

For Respondents : Mr.S.Sadhishkumar
Government Pleader.

ORDER

This Writ petition has been filed for issuance of a Writ of Mandamus, to direct the respondents to provide police protection as well permission for the "Innisai Katcheri" conducted by the Kodai Festival Committee of Arulmigu Thiru Mutharaman Thirukovil, situated at Subbarayapuram, Thoothukudi District, from 27.08.2017 to 02.09.2017 forthwith in pursuance of the petitioner's representation dated 11.08.2017.

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 "Innisai Katcheri" programs scheduled to be held from 27.08.2017 to 02.09.2017 during the celebration of "Arulmigu Thiru Mutharaman Thirukovil, situated at Subbarayapuram, Thoothukudi District. He further submitted that in this connection, a representation was given to the respondent on 11.08.2017, with a request to grant permission and protection to conduct the programs on the above said dates. 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 Government Pleader appearing for the respondents submitted that this Court may grant permission for the above said programs 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, Panagudi Police Station, Tirunelveli District, is directed to consider the representation of the petitioner, dated 11.08.2017 and to give permission and to provide police protection for "Innisai Katcheri" programs during the celebration of "Arulmigu Thiru Mutharaman Thirukovil, situated at Subbarayapuram, Thoothukudi District. scheduled to be held from 27.08.2017 to 02.09.2017, subject to the following conditions;

*(a) the "Innisai Katcheri" programs in connection with the a festival in "Arulmigu Thiru Mutharaman Thirukovil, situated at Subbarayapuram, Thoothukudi District. scheduled to be held from 27.08.2017 to 02.09.2017, 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 community 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.

Sd/-

Assistant Registrar(T&P)

/True copy/

Sub Assistant Registrar

To

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

2. The Inspector of Police,
Sathankulam Police Station,
Sathankulam,
Thoothukudi District.

+1 cc to Mr.S.Palani Velayutham , Advocate in SR.No. 73335
+1 cc to The Special Government Pleader in SR.No.73485

cmr/rmkv

AE/JC/SAR1/24.08.2017/3P/5C

W.P. (MD) No. 15520 of 2017
18.08.2017