



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.08.2017

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

W.P. (MD) No.15754 of 2017

J.Sankar

... Petitioner

-Vs-

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

2.The Sub Inspector of Police,
Pavoor Chatram Police Station,
Pavoor Chatram,
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 to conduct the music concert by M.G.Soundararajan which was scheduled on 26.08.2017 at 10.00 p.m until at 02.00 a.m. in the next day morning at Veeraputhiranadanur, Sivanadanur, Thippanampatti Village, Tenkasi Taluk, Tirunelveli District.

For Petitioner : Mr.H.Elango

For Respondents : Mr.S.Sadhish Kumar,
Additional Government Pleader.

O R D E R

This Writ petition is filed for issuing a Writ of Mandamus directing the respondents to grant permission to conduct the music concert by M.G.Soundararajan which was scheduled on 26.08.2017 at 10.00 p.m until at 02.00 a.m. in the next day morning at Veeraputhiranadanur, Sivanadanur, Thippanampatti Village, Tenkasi Taluk, Tirunelveli District.

<https://hcservices.courts.gov.in/hcservices/> the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.



3. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Music Concert" programme on 26.08.2017 in connection with a festival in "Ramasamy Temple" at Veeraputhiranadanur, Sivanadanur, Thippanampatti Village, Tenkasi Taluk, Tirunelveli District. He further submitted that in this connection, a representation was given to the respondent on 17.08.2017, 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 Additional Government Pleader appearing for the respondents submitted that this Court may grant permission for "Music Concert" 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 Sub Inspector of Police, Pavor Chatram Police Station, Pavor Chatram, Tirunelveli District, is directed to consider the representation of the petitioner, dated 17.08.2017 and to give permission and to provide police protection for "Music Concert" programme in connection with a festival in "Ramasamy Temple" at Veeraputhiranadanur, Sivanadanur, Thippanampatti Village, Tenkasi Taluk, Tirunelveli District, scheduled to be held on 26.08.2017, subject to the following conditions;

(a) the "Music Concert" programme in connection with the a festival in "Ramasamy Temple" at Veeraputhiranadanur, Sivanadanur, Thippanampatti Village, Tenkasi Taluk, Tirunelveli District, scheduled to be held on 26.08.2017 should be completed before 10.30 p.m. or as permitted by the second respondent.

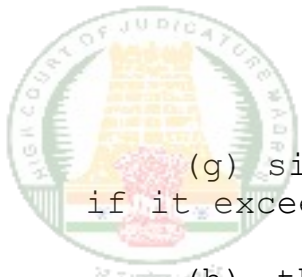
(b) double meaning songs should not be played so as to spoil the minds of students and the youth;

(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.

/True Copy/

Sd/-
Assistant Registrar (T&P)

Sub-Assistant Registrar

To

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

2.The Sub Inspector of Police,
Pavoor Chatram Police Station,
Pavoor Chatram,
Tirunelveli District.

+One c to Mr.H.Elango, Advocate, SR.No.73719

TA
RL/4C/3P/SV/MMS/SAR1/24/8/2017

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