



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.08.2017

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.(MD) No.15756 of 2017

G.Sankarasubramanian

... Petitioner

-Vs-

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

2.The Inspector of Police,
Tenkasi Police Station,
Tenkasi,
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 give permission to conduct Vinayagar Sadhurthi festival scheduled at Arulmigu Sandhi Vinayagar Kovil situated at Koolakadai Bazaar, Tenkasi, Tirunelveli District as stated in the representations of the petitioner, dated 11.07.2017 and 15.08.2017 given to the respondents.

For Petitioner : Mr.R.J.Karthick

For Respondents: Mr.S.Sadhishkumar

Additional Government Pleader.

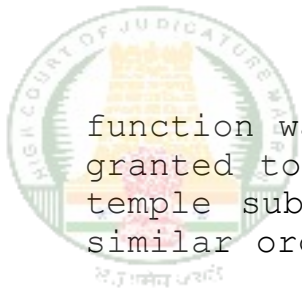
O R D E R

This Writ petition has been filed for issuance of a Writ of Mandamus, to direct the respondents directing to give permission to conduct Vinayagar Sadhurthi festival scheduled at Arulmigu Sandhi Vinayagar Kovil situated at Koolakadai Bazaar, Tenkasi, Tirunelveli District as stated in the representation of the petitioner, dated 11.07.2017 and 15.08.2017 given to the respondents.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

<https://hcservices.ecourts.gov.in/hcservices/>

3.The learned counsel for the petitioner has produced, before this Court, the order passed by this Court in last year, when the



function was conducted in the year 2016. Last year permission was granted to conduct the festival and given protection for the same temple subject to certain conditions. He further submitted that similar order may be passed this year also.

4. The learned Additional Government Pleader, on instructions, submitted that the respondent has no serious objection to pass similar order. Hence, this Court is inclined to pass the following order. This Writ Petition is disposed of. The respondent is directed to grant permission and police protection to conduct the Vinayagar Sathirathi festival subject to the following conditions:

(a) The programme proposal indicated in the applications dated 11.07.2017 and 15.08.2017 should be strictly adhered to. If, the respondent has any suggestion regarding the procession, so as to avoid nuisance or to preserve public order and communal harmony, the petitioner is directed to co-operate fully without any deviation.

(b) The petitioner and the organizers shall conduct the programme in a peaceful manner without causing any hindrance to the public, affecting their normal life or causing any problem or provoking anyone belonging to any other religions.

(c) The petitioner and his men shall abide by any other restrictions or conditions that may be put by the respondent during the performance of Pooja or any other religious ceremony.

(d) The place in which the Vinayagar Statue is located and the manner in which the procession shall take place, should be intimated to the respondents well in advance.

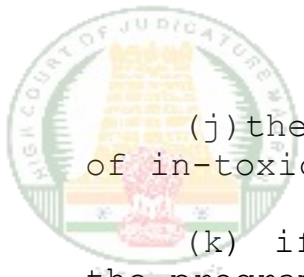
(e) There will not be any song or slogan or dance affecting the religious sentiments of any other religion;

(f) there should not be any kind of obscene dance or vulgar dialogues during the performance, by any one of the participants;

(g) The petitioner and their men shall provide sufficient security to the idols installed by them on their own and the petitioner can not expect the respondent to provide any police force to be deployed at the place when the idols of Lord Vinayagar is installed.

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

(i) 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;



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

(k) if any untoward incident takes place, the organizers of the programme be made responsible for the same.

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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. No costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar.

To

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

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

+1CC to Mr. R. J. Karthick, Advocate, SR.No. 73792

+1CC to the Special Government Pleader SR.No. 74605

W.P. (MD) No. 15756 of 2017
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