



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.08.2017

CORAM

WEB COPY

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

W.P.(MD) No.16469 of 2017

S.Thyraj

... Petitioner

-Vs-

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

2.The Inspector of Police,
Nainarkovil Police Station,
Nainarkovil,
Paramakudi Taluk,
Ramanathapuram District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order dated 28.08.2017 of the 2nd respondent and to quash the same and consequently directing the respondents to grant permission and necessary protection to perform the Drama "Sri Mahamayee" which is a Bakthi Story Drama to be held on 05.09.2017 at 10.00 pm in the eve of Arulmighu Sri Muthumariyamman Thirukovil, at Vathavaneri Village, Kadaranthakudi Post, Paramakudi Taluk, Ramanathapuram.

For Petitioner : Mr.A.Kannan

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

O R D E R

This Writ petition is filed for issuing a Writ of Certiorarified Mandamus, for quashing the impugned order, dated 28.08.2017, passed the second respondent and consequently directing the respondents to grant permission and necessary protection to perform Drama "Sri Mahamayee" which is a Bakthi Story Drama to be held on 05.09.2017 at 10.00 p.m., in the eve of "Arulmighu Sri Muthumariyamman Thirukovil", Vathavaneri Village, Kadaranthakudi Post, Paramakudi Taluk, Ramanathapuram.



2. Heard 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 "Bakthi" Drama "Sri Mahamayee" on 05.09.2017 in connection with a festival of "Mulaikottu Urchavam" in "Arulmighu Sri Muthumariyamman Thirukovil", Vathavaneri Village, Kadaranthakudi Post, Paramakudi Taluk, Ramanathapuram. He further submitted that in this connection, a representation was given to the second respondent on 28.08.2017, with a request to grant permission and protection to conduct the programme on the above said date. However, the second respondent police has rejected 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 "Sri Mahamayee" "Bakthi" Drama programme subject to stringent conditions.

5. Considering the facts and circumstances of the case, the Writ petition is allowed and the impugned order passed by the second respondent, by an order dated 28.08.2017 is set aside. This Court is inclined to pass the following directions:

The second respondent/The Inspector of Police, Nainarkovil Police Station, Paramakudi Taluk, Ramanathapuram District, is directed to consider the representation of the petitioner, dated 28.08.2017 and to give permission and to provide police protection for "Sri Mahamayee" "Bakthi" Drama programme in connection with a festival of "Mulaikottu Urchavam" in "Arulmighu Sri Muthumariyamman Thirukovil", Vathavaneri Village, Kadaranthakudi Post, Paramakudi Taluk, Ramanathapuram, scheduled to be held on 05.09.2017, subject to the following conditions;

(a) the "Sri Mahamayee" "Bakthi" Drama programme in connection with a festival of "Mulaikottu Urchavam" in "Arulmighu Sri Muthumariyamman Thirukovil", Vathavaneri Village, Kadaranthakudi Post, Paramakudi Taluk, Ramanathapuram, scheduled to be held on 05.09.2017, should be completed before 12.00 p.m or as may be directed by the second respondent police.

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

<https://hcservices.ecourts.gov.in/> (7) (i) (b) (c) (d) (e) (f) (g) (h) (i) (j) (k) (l) (m) (n) (o) (p) (q) (r) (s) (t) (u) (v) (w) (x) (y) (z) (aa) (ab) (ac) (ad) (ae) (af) (ag) (ah) (ai) (aj) (ak) (al) (am) (an) (ao) (ap) (aq) (ar) (as) (at) (au) (av) (aw) (ax) (ay) (az) (ba) (bb) (bc) (bd) (be) (bf) (bg) (bh) (bi) (bj) (bk) (bl) (bm) (bn) (bo) (bp) (bq) (br) (bs) (bt) (bu) (bv) (bw) (bx) (by) (bz) (ca) (cb) (cc) (cd) (ce) (cf) (cg) (ch) (ci) (cj) (ck) (cl) (cm) (cn) (co) (cp) (cq) (cr) (cs) (ct) (cu) (cv) (cw) (cx) (cy) (cz) (da) (db) (dc) (dd) (de) (df) (dg) (dh) (di) (dj) (dk) (dl) (dm) (dn) (do) (dp) (dq) (dr) (ds) (dt) (du) (dv) (dw) (dx) (dy) (dz) (ea) (eb) (ec) (ed) (ee) (ef) (eg) (eh) (ei) (ej) (ek) (el) (em) (en) (eo) (ep) (eq) (er) (es) (et) (eu) (ev) (ew) (ex) (ey) (ez) (fa) (fb) (fc) (fd) (fe) (ff) (fg) (fh) (fi) (fj) (fk) (fl) (fm) (fn) (fo) (fp) (fq) (fr) (fs) (ft) (fu) (fv) (fw) (fx) (fy) (fz) (ga) (gb) (gc) (gd) (ge) (gf) (gg) (gh) (gi) (gj) (gk) (gl) (gm) (gn) (go) (gp) (gq) (gr) (gs) (gt) (gu) (gv) (gw) (gx) (gy) (gz) (ha) (hb) (hc) (hd) (he) (hf) (hg) (hh) (hi) (hj) (hk) (hl) (hm) (hn) (ho) (hp) (hq) (hr) (hs) (ht) (hu) (hv) (hw) (hx) (hy) (hz) (ia) (ib) (ic) (id) (ie) (if) (ig) (ih) (ii) (ij) (ik) (il) (im) (in) (io) (ip) (iq) (ir) (is) (it) (iu) (iv) (iw) (ix) (iy) (iz) (ja) (jb) (jc) (jd) (je) (jf) (jg) (jh) (ji) (jj) (jk) (jl) (jm) (jn) (jo) (jp) (jq) (jr) (js) (jt) (ju) (jv) (jw) (jx) (jy) (jz) (ka) (kb) (kc) (kd) (ke) (kf) (kg) (kh) (ki) (kj) (kk) (kl) (km) (kn) (ko) (kp) (kq) (kr) (ks) (kt) (ku) (kv) (kw) (kx) (ky) (kz) (la) (lb) (lc) (ld) (le) (lf) (lg) (lh) (li) (lj) (lk) (ll) (lm) (ln) (lo) (lp) (lq) (lr) (ls) (lt) (lu) (lv) (lw) (lx) (ly) (lz) (ma) (mb) (mc) (md) (me) (mf) (mg) (mh) (mi) (mj) (mk) (ml) (mm) (mn) (mo) (mp) (mq) (mr) (ms) (mt) (mu) (mv) (mw) (mx) (my) (mz) (na) (nb) (nc) (nd) (ne) (nf) (ng) (nh) (ni) (nj) (nk) (nl) (nm) (nn) (no) (np) (nq) (nr) (ns) (nt) (nu) (nv) (nw) (nx) (ny) (nz) (oa) (ob) (oc) (od) (oe) (of) (og) (oh) (oi) (oj) (ok) (ol) (om) (on) (oo) (op) (oq) (or) (os) (ot) (ou) (ov) (ow) (ox) (oy) (oz) (pa) (pb) (pc) (pd) (pe) (pf) (pg) (ph) (pi) (pj) (pk) (pl) (pm) (pn) (po) (pp) (pq) (pr) (ps) (pt) (pu) (pv) (pw) (px) (py) (pz) (qa) (qb) (qc) (qd) (qe) (qf) (qg) (qh) (qi) (qj) (qk) (ql) (qm) (qn) (qo) (qp) (qq) (qr) (qs) (qt) (qu) (qv) (qw) (qx) (qy) (qz) (ra) (rb) (rc) (rd) (re) (rf) (rg) (rh) (ri) (rj) (rk) (rl) (rm) (rn) (ro) (rp) (rq) (rr) (rs) (rt) (ru) (rv) (rw) (rx) (ry) (rz) (sa) (sb) (sc) (sd) (se) (sf) (sg) (sh) (si) (sj) (sk) (sl) (sm) (sn) (so) (sp) (sq) (sr) (ss) (st) (su) (sv) (sw) (sx) (sy) (sz) (ta) (tb) (tc) (td) (te) (tf) (tg) (th) (ti) (tj) (tk) (tl) (tm) (tn) (to) (tp) (tq) (tr) (ts) (tt) (tu) (tv) (tw) (tx) (ty) (tz) (ua) (ub) (uc) (ud) (ue) (uf) (ug) (uh) (ui) (uj) (uk) (ul) (um) (un) (uo) (up) (uq) (ur) (us) (ut) (uu) (uv) (uw) (ux) (uy) (uz) (va) (vb) (vc) (vd) (ve) (vf) (vg) (vh) (vi) (vj) (vk) (vl) (vm) (vn) (vo) (vp) (vq) (vr) (vs) (vt) (vu) (vv) (vw) (vx) (vy) (vz) (wa) (wb) (wc) (wd) (we) (wf) (wg) (wh) (wi) (wj) (wk) (wl) (wm) (wn) (wo) (wp) (wq) (wr) (ws) (wt) (wu) (wv) (ww) (wx) (wy) (wz) (xa) (xb) (xc) (xd) (xe) (xf) (xg) (xh) (xi) (xj) (xk) (xl) (xm) (xn) (xo) (xp) (xq) (xr) (xs) (xt) (xu) (xv) (xw) (xx) (xy) (xz) (ya) (yb) (yc) (yd) (ye) (yf) (yg) (yh) (yi) (yj) (yk) (yl) (ym) (yn) (yo) (yp) (yq) (yr) (ys) (yt) (yu) (yv) (yw) (yx) (yy) (yz) (za) (zb) (zc) (zd) (ze) (zf) (zg) (zh) (zi) (zj) (zk) (zl) (zm) (zn) (zo) (zp) (zq) (zr) (zs) (zt) (zu) (zv) (zw) (zx) (zy) (zz)



(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 same.

6. It is open to the second 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(CS-II)

/True Copy/

Sub Assistant Registrar.

To

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

2.The Inspector of Police, Nainarkovil Police Station,
Nainarkovil,Paramakudi Taluk, Ramanathapuram District.

+1CC to Mr.A.Kannan, Advocate, SR.No.75700

+1CC to the Special Government Pleader SR.No. 76094

W.P.(MD) No.16469 of 2017

31.08.2017