



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.09.2017

CORAM

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

W.P. (MD) No.17108 of 2017

WEB COPY

C.Mannarmannan

... Petitioner

-Vs-

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

2.The Inspector of Police,
Manamadurai Town Police Station,
Sivagangai 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 and necessary police protection to perform the "Valli Thirumana Drama" programme on 13.09.2017 in front of "Arulmighu Sri Kurathi Amman Thirukovil" for the Thiyagi Immanuvel Sekaran Memorial function at Krishnarajapuram, Manamadurai Taluk, Sivagangai District.

For Petitioner : Mr.V.Manikandan
For Respondents : Mr.S.Sadhis Kumar,
Additional Government Pleader.

O R D E R

This Writ petition is filed for issuing a Writ of Mandamus seeking a direction to the respondents to grant permission and necessary police protection to perform the "Valli Thirumana Drama" programme on 13.09.2017 in front of "Arulmighu Sri Kurathi Amman Thirukovil" for the Thiyagi Immanuvel Sekaran Memorial function at Krishnarajapuram, Manamadurai Taluk, Sivagangai District.

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 "Valli Thirumana Drama" programme on 13.09.2017 in connection with "Thiyagi Immanuvel Sekaran Memorial function" in " Krishnarajapuram, Manamadurai Taluk, Sivagangai District. He further submitted that in this connection, a representation was given to the second respondent on 24.08.2017, 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 "Valli Thirumana Drama" 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 Inspector of Police, Manamadurai Town Police Station, Sivagangai District, is directed to consider the representation of the petitioner, dated 24.08.2017 and to give permission and to provide police protection for "Valli Thirumana Drama" programme in connection with "Thiyagi Immanuvel Sekaran Memorial function" in "Krishnarajapuram, Manamadurai Taluk, Sivagangai District, scheduled to be held on 13.09.2017, subject to the following conditions;

(a) the "Valli Thirumana Drama" programme in connection with the "Thiyagi Immanuvel Sekaran Memorial function" festival in "Krishnarajapuram, Manamadurai Taluk, Sivagangai District, scheduled to be held on 13.09.2017 should be completed before 10.30 p.m or as may be permitted by the respondent police.

(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) there should not be any Flex Boards representing any community or political leaders;

(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;

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 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

/True Copy/

Sub Assistant Registrar

To

- 1.The Superintendent of Police,
Sivagangai District,
Sivagangai.
- 2.The Inspector of Police,
Manamadurai Town Police Station,
Sivagangai District.

+1cc to M/S.V.Manikandan, Advocate SR.No. 78268
+1cc to Special Government Pleader, SR.No. 78348

W.P. (MD) No.17108 of 2017
11.09.2017

dss/dsk
JM/RSK/SAR 2/12.09.2017/3P/5C