



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.09.2017

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

W.P. (MD) No.17324 of 2017

Tharmakan

... Petitioner

-Vs-

The Inspector of Police,  
Thisayanvilai Police Station,  
Tirunelveli District.

... Respondent

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to grant permission and protection for cultural musical event namely "INNISAI KATCHERI" scheduled to be held on 28.09.2017 from 09.00 p.m., and 03.00.a.m., in connection with " Kodai Vizha" in Arulmighu Sri Mutharamman, Sri Enapulamadan Swamy Thirukovil at Vijaya Achampadu, Ettamozhi Village, Nanguneri Taluk, Tirunelveli District, considering the petitioner's representation dated 01.09.2017.

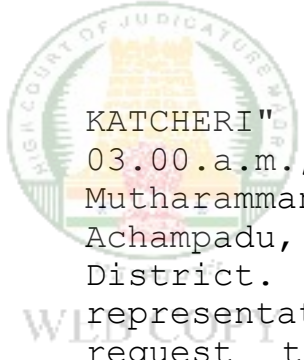
For Petitioner : Mr.V.Angusamy

For Respondent : Mr.A.K.Baskara Pandian,  
Special Government Pleader.**ORDER**

This Writ petition is filed for issuing a Writ of Mandamus seeking a direction to the respondent herein to grant permission and protection for cultural musical event namely "INNISAI KATCHERI" scheduled to be held on 28.09.2017 from 09.00 p.m., and 03.00.a.m., in connection with " Kodai Vizha" in Arulmighu Sri Mutharamman, Sri Enapulamadan Swamy Thirukovil at Vijaya Achampadu, Ettamozhi Village, Nanguneri Taluk, Tirunelveli District, considering the petitioner's representation dated 01.09.2017.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondent.

<https://hcservices.courts.mv.in/hcservices/>  
3. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct musical event namely "INNISAI



KATCHERI" scheduled to be held on 28.09.2017 from 09.00 p.m., and 03.00.a.m., in connection with " Kodai Vizha" in Arulmighu Sri Mutharamman, Sri Enapulamadan Swamy Thirukovil at Vijaya Achampadu, Ettamozhi Village, Nanguneri Taluk, Tirunelveli District. He further submitted that in this connection, a representation was given to the respondent on 01.09.2017, 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 Special Government Pleader appearing for the respondent submitted that this Court may grant permission for "INNISAI KATCHERI" subject to stringent conditions.

5. Considering the facts and circumstances of the case, the Writ Petition is disposed of with the following directions:

*The respondent/The Inspector of Police, Thisayanvilai Police Station, Tirunelveli District, is directed to consider the representation of the petitioner, dated 01.09.2017 and to give permission and to provide police protection for "INNISAI KATCHERI" in connection with " Kodai Vizha" in Arulmighu Sri Mutharamman, Sri Enapulamadan Swamy Thirukovil at Vijaya Achampadu, Ettamozhi Village, Nanguneri Taluk, Tirunelveli District, scheduled to be held on 28.09.2017, subject to the following conditions;*

*(a) the "INNISAI KATCHERI" in connection with "Kodai Vizha" in Arulmighu Sri Mutharamman, Sri Enapulamadan Swamy Thirukovil at Vijaya Achampadu, Ettamozhi Village, Nanguneri Taluk, Tirunelveli District, scheduled to be held on 28.09.2017 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 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 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(RTI)

/True copy/

Sub Assistant Registrar

To

The Inspector of Police,  
Thisayanvilai Police Station,  
Tirunelveli District.

+1 cc to Mr.V.Angusamy , Advocate in SR.No. 78975

+1 cc to The Special Government Pleader in SR.No.79066

das/tsg

AE/KK/SAR1/22.09.2017/3P/4C

W.P.(MD) No. 17324 of 2017  
14.09.2017