



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2017

CORAM

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

W.P.(MD) No. 18121 of 2017

S.Selvakumar

... Petitioner

-Vs-

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

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

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to grant permission and necessary protection to perform the Village cultural programme i.e., Innisai Katcheri on 13.10.2017, Aadal Padal on 16.10.2017 and Sendai Melam on 17.10.2017 in the eve of "Natham Arulmighu Sri Mariamman Thirukovil" "Kodai Vizha" at Natham, Alangulam Taluk, Tirunelveli District by considering the petitioner's representation dated 19.09.2017.

For Petitioner : Mr.J.Ashok

For Respondents : Mr.A.K.Baskarapandian
Special Government Pleader.

O R D E R

The petitioner has come forward with this Writ Petition, to direct the respondents to grant permission and necessary protection to perform the Village cultural programme i.e., Innisai Katcheri on 13.10.2017, Aadal Padal on 16.10.2017 and Sendai Melam on 17.10.2017 in the eve of "Natham Arulmighu Sri Mariamman Thirukovil" "Kodai Vizha" at Natham, Alangulam Taluk, Tirunelveli District by considering the petitioner's representation dated 19.09.2017.

2.The learned counsel for the petitioner submitted that the villagers jointly decided to conduct Village cultural programme i.e., Innisai Katcheri on 13.10.2017, Aadal Padal on 16.10.2017 and Sendai Melam on 17.10.2017 in the eve of "Natham Arulmighu Sri Mariamman Thirukovil" "Kodai Vizha" at Natham, Alangulam Taluk, Tirunelveli District. He further submitted that in this connection, a representation was given to the respondents on 19.09.2017, with a request to grant permission and protection to conduct the programme on the above said dates. However, the respondent police has not yet



considered the said representation and hence, the petitioner is before this Court with this Writ Petition.

3. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

4. The learned Special Government Pleader appearing for the respondent submitted that this Court may grant permission for "Village cultural programmes" 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, Alangulam Police Station, is directed to consider the representation of the petitioner, dated 19.09.2017 and to give permission and to provide police protection for Village cultural programme i.e., Innisai Katcheri on 13.10.2017, Aadal Padal on 16.10.2017 and Sendai Melam on 17.10.2017 in the eve of "Natham Arulmighu Sri Mariamman Thirukovil" "Kodai Vizha" at Natham, Alangulam Taluk, Tirunelveli District, subject to the following conditions;

(a) the Village cultural programme i.e., Innisai Katcheri on 13.10.2017, Aadal Padal on 16.10.2017 and Sendai Melam on 17.10.2017 in the eve of "Natham Arulmighu Sri Mariamman Thirukovil" "Kodai Vizha" at Natham, Alangulam Taluk, Tirunelveli District, should be completed before **10.30 p.m.**, or as may be permitted 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;

(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;

(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

/True Copy/

Sub Assistant Registrar

To

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

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

+1cc to Mr.J.ASHOK Advocate in SR. No. 80657

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 81154

CMR/MM

JS/KP/SAR.2/5.10.2017/3P-5C

W.P.(MD) No. 18121 of 2017
22.09.2017