



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.10.2017

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

W.P. (MD) No.18744 of 2017

Sankarapandi

... Petitioner

-Vs-

The Inspector of Police,
Surandai Police Station,
Tirunelveli.

... 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 event namely "Innisai Katcheri" scheduled to be held on 09.11.2017 at night 08.00 to 12.00 hours in connection with the "Ipachi Festival" in Arulmigu Sri Oorkavala Perumal Kovil at Keelasurandai Village, V.K.Puram Taluk, Tirunelveli District, by considering the petitioner's representation dated 22.09.2017.

For Petitioner : Mr.Ramalingam

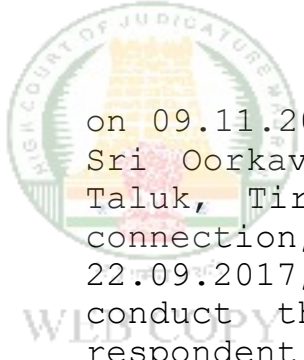
For Respondent : Mr.D.Muruganantham,
Additional Government Pleader.

ORDER

This Writ petition is filed for issuing a Writ of Mandamus, directing the respondent to grant permission and protection for cultural event namely "Innisai Katcheri" scheduled to be held on 09.11.2017 at night 08.00 to 12.00 hours in connection with the "Ipachi Festival" in Arulmigu Sri Oorkavala Perumal Kovil at Keelasurandai Village, V.K.Puram Taluk, Tirunelveli District, by considering the petitioner's representation dated 22.09.2017.

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

3. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Innisai Katcheri" programme



on 09.11.2017 in connection with the "Ipachi Festival" in Arulmigu Sri Oorkavala Perumal Kovil at Keelasurandai Village, V.K.Puram Taluk, Tirunelveli District. He further submitted that in this connection, a representation was given to the respondent on 22.09.2017, 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 Additional Government Pleader appearing for the respondent submitted that this Court may grant permission for "Innisai Katcheri" 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 respondent / The Inspector of Police, Surandai Police Station, Tirunelveli, is directed to consider the representation of the petitioner, dated 22.09.2017 and to give permission and to provide police protection for "Innisai Katcheri" programme in connection with the "Ipachi Festival" in Arulmigu Sri Oorkavala Perumal Kovil at Keelasurandai Village, V.K.Puram Taluk, Tirunelveli District scheduled to be held on 09.11.2017, subject to the following conditions;

(a) the "**Innisai Katcheri**" programme in connection with the "Ipachi Festival" in Arulmigu Sri Oorkavala Perumal Kovil at Keelasurandai Village, V.K.Puram Taluk, Tirunelveli District, scheduled to be held on **09.11.2017** should be completed before **10.30 p.m.**, or as may be permitted by the second respondent police.

(b) double meaning songs should not be played so as to spoil the minds of students and the youth;

(c) no songs, touching upon any political party or religion, community or caste be played;

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

(e) the function should not affect either religious or communal harmony and shall be conducted without any discrimination based on caste;

(f) 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;

(g) similarly, the Police is empowered to stop the programme, if it exceeds beyond the permitted time;

(h) the participants of the programme shall not intake any kind of in-toxic substance or liquor during



the programme; and

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

6. The respondent police is at liberty to put any other reasonable restrictions so as to maintain law and order and communal harmony. There can be a total ban for putting up any Flex Boards representing any community. No costs.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

The Inspector of Police,
Surandai Police Station,
Tirunelveli.

+ 1 cc TO Mr.V.Ramalingam , Advocate in SR No. 82382
+1cc to The Special Government Pleader in SR.No.82550

km/cmr

AE/KP/SAR2/26.10.2017/3P/4C

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