



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.10.2017

CORAM:

THE HONOURABLE **MR. JUSTICE M.DHANDAPANI**

W.P (MD) No.19622 of 2017

R.Petchi Selvam

.. Petitioner

Vs.

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

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

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to grant permission to conduct Orchestra (Innisai Katcheri) scheduled to be held on 02.11.2017 at 09.00 p.m. to 12.00 p.m. in "Thiruvizha" at Arulmighu Pattamudayar Sastha Kovil, Vadakku Karumpanoor, Alangulam Taluk, Tirunelveli District.

For Petitioner : Mr.S.Sivakumar

For Respondents : Mr.D.Muruganantham
Additional Government Pleader.

ORDER

This Writ Petition has been filed seeking for a issuance of writ of mandamus, directing the respondents to grant permission to conduct Orchestra (Innisai Katcheri) scheduled to be held on 02.11.2017 at 09.00 p.m. to 12.00 p.m. in "Thiruvizha" at Arulmighu Pattamudayar Sastha Kovil, Vadakku Karumpanoor, Alangulam Taluk, Tirunelveli 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 the "Orchestra(Innisai Katcheri)" Programme on 02.11.2017 at 09.00 PM to 12.00 PM in connection with the "Thiruvizha" at Arulmighu Pattamudayar Sastha Kovil, Vadakku Karumpanoor, Alangulam Taluk, Tirunelveli District. He further submitted that in this connection, a representation was given to the second respondent on 21.10.2017 with a request to grant protection to conduct the programme on the above said date. However, the second 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 "Orchestra(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 second respondent/The Inspector of Police, Alangulam police Station, Tirunelveli District, is directed to consider the representation of the petitioner, dated 21.10.2017 and to give permission and to provide police protection for "Orchestra(Innisai Katcheri)" Programme in connection with the "Thiruvizha" at Arulmighu Pattamudayar Sastha Kovil, Vadakku Karumpanoor, Alangulam Taluk, Tirunelveli District, scheduled to be held on 02.11.2017, subject to the following conditions;

(a) the "Orchestra(Innisai Katcheri)" Programme in connection with the "Thiruvizha" at Arulmighu Pattamudayar Sastha Kovil, Vadakku Karumpanoor, Alangulam Taluk, Tirunelveli District, scheduled to be held on 02.11.2017, should be completed before **10.30 p.m** or as may be directed by the second respondent.

(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 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 or Flex Boards or Flex Boards representing any community. No costs.

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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 THE SPECIAL GOVERNMENT PLEADER in SR. No. 83832
+1cc to M/s.S.SIVA KUMAR Advocate in SR. No. 83613

RMK/CP

JS/JC/SAR.2/31.10.2017/3P-5C

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25.10.2017