



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2017

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THE HON'BLE MR.JUSTICE P.N.PRAKASH

W.P.(MD) No.5593 of 2017

A.Muthuvel

... Petitioner

-VS-

1.The Superintendent of Police,
Tirunelveli.

2.The Inspector of Police,
Vickramasingapuram Police Station,
Tirunelveli.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records of the impugned memo of the second respondent bearing No.nil, dated 14.03.2017 and quash the same and consequently, direct the second respondent to grant permission to conduct light music orchestra in the name of "Innisaikatcheri" on 12.04.2017 on the 8th day festival of Shri Papanasa Swamy Temple at Papanasam, Tirunelveli District.

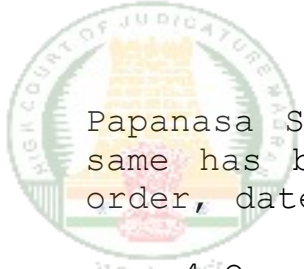
For Petitioner : Mr.S.Siva Ilayaraja
For Respondents : Mr.T.S.Mohammed Mohideen,
Addl. Govt. Pleader

O R D E R

This Writ Petition has been filed challenging the impugned order dated 14.03.2017 of the second respondent and for a consequential direction to the second respondent to grant permission to conduct light music orchestra in the name of "Innisaikatcheri" on 12.04.2017 on the 8th day festival of Shri Papanasa Swamy Temple at Papanasam, Tirunelveli District.

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

<https://hcservices.ecourt.gov.in/hcservices> that this petitioner had submitted an application to the second respondent seeking permission to conduct light music programme on 12.04.2017 in connection with the festival of Shri



Papanasa Swamy Temple at Papanasam, Tirunelveli District and the same has been rejected by the second respondent by the impugned order, dated 14.03.2017.

4. On a reading of the impugned order, the request has been rejected merely on surmises without any materials in support thereof. Under such circumstances, the impugned order is quashed and the second respondent is directed to consider the application of the petitioner afresh and pass orders in accordance with law and on merits. In the event of the second respondent granting permission, stringent conditions may be imposed and that the programme should not be conducted beyond 11 p.m. If any obscene songs or songs insulting other communities are sung, it is open to the police to intervene and stop the programme.

With the above direction, this Writ Petition is disposed of. No costs.

sd
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Tirunelveli.
2. The Inspector of Police,
Vickramasingapuram Police Station,
Tirunelveli.

+1cc to M/s.S.SIVAILAYARAJA, Advocate, in SR No. 50331

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