



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.05.2017

CORAM :

THE HON'BLE MR.JUSTICE T.RAJA

W.P(MD) No.8820 of 2017

Selvaraj Nadar

... Petitioner

Vs.

1. Superintendent of Police,
Tirunelveli District,
Tirunelveli.
2. Inspector of Police,
Tisayanvilai Police Station,
Radhapuram Taluk,
Tirunelveli District.

.... Respondents

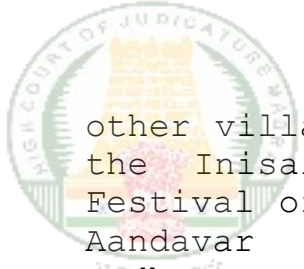
Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent to grant permission to the Kodai Festival from 15.05.2017 to 19.05.2017, including the Inisai Kacheri (Musical Concert) to be conducted on 18.05.2017 at 7pm pursuant to the Kodai Festival of Sri Thanga Mutharamman Kovil and Sri Oosikattu Sudalai Aandavar Kovil at Thalaivanvilai Mudhumuthanmozhi Village, Radhapuram Taluk, Tirunelveli District by considering the petitioner's representation dated 26.04.2017.

For Petitioner : Mr.S.R.Anbarasu
For Respondents : Mr.C.Selvaraj
Spl. Govt. Pleader

O R D E R

This Writ Petition has been filed by the petitioner, seeking to direct the 2nd respondent to grant permission to the Kodai Festival from 15.05.2017 to 19.05.2017, including the Inisai Kacheri (Musical Concert) to be conducted on 18.05.2017 at 7pm pursuant to the Kodai Festival of Sri Thanga Mutharamman Kovil and Sri Oosikattu Sudalai Aandavar Kovil at Thalaivanvilai Mudhumuthanmozhi Village, Radhapuram Taluk, Tirunelveli District.

2. Learned counsel for the petitioner submitted that the festival of the said temple is scheduled to be held from 15.05.2017 to 19.05.2017, including the Inisai Kacheri (Musical Concert) to be conducted on 18.05.2017 at 7pm. The petitioner and



other villagers have decided to organise Kodai Festival, including the Inisai Kacheri (Musical Concert) pursuant to the Kodai Festival of Sri Thanga Mutharamman Kovil and Sri Oosikattu Sudalai Aandavar Kovil at Thalaivanvilai Mudhumuthanmozhi Village, Radhapuram Taluk, Tirunelveli District and therefore, the petitioner submitted a representation, dated 26.04.2017 to the 2nd respondent, requesting the Police to grant permission therefor. Since no order has been passed on the said representation, the petitioner has filed the present writ petition, for the above mentioned relief.

3. The learned counsel appearing for the petitioner would submit that in the abovesaid temple, the scheduled programme is being organized every year. Even during last year, when the cultural programme was conducted, there was no untoward incident as apprehended by the respondent police and therefore, permission may be granted. Further, in order to entertain the devotees who come to witness the Kodai Festival, the cultural programme is going to be organized.

4. Mr.C.Selvaraj, learned Special Government Pleader, who takes notice for the respondents, submitted that only in order to avoid some untoward incidents, the petitioner was not granted permission to conduct the cultural programme. He would further submit that the petitioner may be permitted to proceed with holding the cultural programme on imposing usual conditions. His submission is placed on record.

5. Considering the submissions made on either side, this Court passes the following order:-

"The 2nd respondent is directed to grant permission to the petitioner to conduct "Kodai Festival from 15.05.2017 to 19.05.2017, including the Inisai Kacheri (Musical Concert) to be conducted on 18.05.2017 at 7pm pursuant to the Kodai Festival of Sri Thanga Mutharamman Kovil and Sri Oosikattu Sudalai Aandavar Kovil at Thalaivanvilai Mudhumuthanmozhi Village, Radhapuram Taluk, Tirunelveli District, subject to the following conditions:

i)The event shall be conducted in an organised and peaceful manner without causing any law and order problem.

ii)There shall not be any obscene or vulgar scenes during the dance performance by any one of the participants or others.

iii)The dance performance, if any shall be restricted between 6.00 p.m and 11.00 p.m.

<https://hcservices.ecourts.gov.in/hcservices/> iv) If there is any violation of the above said conditions, the 2nd respondent or the duly authorised officer is



entitled to take necessary action as per law and stop such performance.

6. With the above direction, this petition is disposed of. No costs.

WEB COPY

Sd/-

Deputy Registrar/Vacation officer

/True Copy/

Sub Assistant Registrar

To:

1. The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
2. The Inspector of Police,
Tisayanvilai Police Station,
Radhapuram Taluk,
Tirunelveli District.

+1cc to Mr.S.R.Anbarasu, Advocate, SR.56219

W.P(MD) No.8820 of 2017
10.05.2017

MAS/JC/SAR4:11.05.2017-3P-4c