



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.05.2018

CORAM

THE HON'BLE MRS.JUSTICE R.THARANIW.P. (MD) No.10571 of 2018

WEB COPY

T.Gandhi

... Petitioner

-Vs-

1. The Superintendent of Police,
Thoothukudi District.2. The Inspector of Police,
Eral Police Station, Eral,
Thoothukudi District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent herein to give necessary police protection and permit the petitioner to conduct "Pakthi Arulisai and Innisai Katcheri" Cultural Program during Arulmigu Sree Narayanaswamy and Arulmigu Sree Shanthana Mariamman Kovil Chithirai festival at Lakshmipuram, Valavanthan Post, Srivaikundam Taluk, Thoothukudi District on 10.05.2018 and 11.05.2018 and consider the petitioner's representation dated 23.04.2018.

For Petitioner : Mr.M.Prabhu

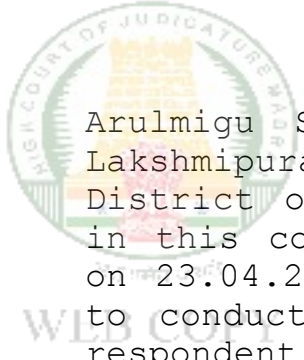
For Respondents : Mr.K.Saravanan
Government Advocate

ORDER

This Writ petition is filed for issuing a Writ of Mandamus, directing the respondents herein to give necessary police protection and permit the petitioner to conduct "Pakthi Arulisai and Innisai Katcheri" Cultural Program during Arulmigu Sree Narayanaswamy and Arulmigu Sree Shanthana Mariamman Kovil Chithirai festival at Lakshmipuram, Valavanthan Post, Srivaikundam Taluk, Thoothukudi District on 10.05.2018 and 11.05.2018 and consider the petitioner's representation dated 23.04.2018.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

3. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Pakthi Arulisai and Innisai Katcheri" Cultural Program during Arulmigu Sree Narayanaswamy and



Arulmigu Sree Shanthana Mariamman Kovil Chithirai festival at Lakshmipuram, Valavanthan Post, Srivaikundam Taluk, Thoothukudi District on 10.05.2018 and 11.05.2018. He further submitted that in this connection, a representation was given to the respondent on 23.04.2018, 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.

4. The learned Government Advocate appearing for the respondent submitted that this Court may grant permission for "Pakthi Arulisai and 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, Eral Police Station, Eral, Thoothukudi District is directed to consider the representation of the petitioner, dated 23.04.2018 and to give permission and to provide police protection for "Pakthi Arulisai and Innisai Katcheri" programme in connection with a festival in Arulmigu Sree Narayanaswamy and Arulmigu Sree Shanthana Mariamman Kovil Chithirai festival at Lakshmipuram, Valavanthan Post, Srivaikundam Taluk, Thoothukudi District on 10.05.2018 and 11.05.2018, subject to the following conditions;

(a) the "Pakthi Arulisai and Innisai Katcheri" programme Cultural Program during Arulmigu Sree Narayanaswamy and Arulmigu Sree Shanthana Mariamman Kovil Chithirai festival at Lakshmipuram, Valavanthan Post, Srivaikundam Taluk, Thoothukudi District on 10.05.2018 and 11.05.2018 should be completed before
09.30 p.m.

(b) there should not be any kind of obscene song 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 songs, touching upon any political party or community or caste be played safety of public, especially ladies and children should be assured,;

(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 the 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 representing any community. No costs.

Sd/-

Vacation Officer

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Thoothukudi District.

2. The Inspector of Police,
Eral Police Station, Eral,
Thoothukudi District.

+1cc to Spl.Government Pleader Sr.No.65140

+1cc to Mr.M.Prabhu, Advocate Sr.No.65102

TSG/AKV

VB/RSK/SAR4/08/05/2018/3P/5C

W.P.(MD) No. 10571 of 2018

03.05.2018