



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.05.2018

CORAM:

THE HONOURABLE MRS.JUSTICE R.THARANI

W.P.(MD)No.10736 of 2018

WEB COPY

Vannakaruppasamy

... Petitioner

Vs.

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

2. The Inspector of Police,
Panavadalichathiram Police Station,
Panavadalichathiram,
Sankarankovil Taluk,
Tirunelveli District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 2nd respondent to grant necessary permission and provide adequate police protection for conducting the Tamil Traditional Vil-Isai Katcheri (வில்லு பாட்டு) Program scheduled to be held on 18.05.2018 from 09.00 p.m., to 01.00 a.m., at Karuthanoor Village, Sankarankoil Taluk, Tirunelveli District as part of Maruthakaruppasamy Thirukovil temple festival, based on the petitioner's representation dated 04.05.2018.

For Petitioner	: Mr.T.Indrachithu
For Respondents	: Mr.V.P.M.Vaishnavi
	Government Advocate.

O R D E R

This Writ Petition is filed for issuing a Writ of Certiorarified Mandamus, to direct the second respondent to grant necessary permission and to provide adequate police protection for conducting Tamil Traditional Vil-Isai Katcheri (வில்லு பாட்டு) Program scheduled to be held on 18.05.2018 from 09.00 p.m., to 01.00 a.m., at Karuthanoor Village, Sankarankoil Taluk, Tirunelveli District as part of Maruthakaruppasamy Thirukovil temple festival, based on the petitioner's representation, dated 04.05.2018.

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

<https://hcservices.ecourts.gov.in/hcservices/>
3. The learned counsel for the petitioner submitted that the villagers jointly decided to conduct "Tamil Traditional Vil-Isai



Katcheri (தமிழ் பாரம்பரிய) Program" on 18.05.2018 night at about 09.00 p.m., to 01.00 a.m., PM at Maruthakaruppasamy Thirukovil situated at Karuthanoor Village, Sankarankoil Taluk, Tirunelveli District. In this connection, a representation was given to the first respondent police on 04.05.2018, with a request to grant permission to conduct the "Tamil Traditional Vil-Isai Katcheri (வில்லு பாட்டு) Program" on the above said date, however, the first respondent Police has not considered the said representation, dated 04.05.2018 and hence the petitioner is before this Court with this Writ Petition.

4.The learned Government Advocate appearing for the respondents, on instructions, submitted that the respondents have serious objection for permitting the petitioner to conduct "Tamil Traditional Vil-Isai Katcheri (வில்லு பாட்டு) Program".

5.However, taking into account the serious objections of the respondent police, this writ petition is allowed with the following direction:-

i) The second respondent/Inspector of Police, Panavadalichathiram Police Station, Panavadalichathiram, Sankarankovil Taluk, Tirunelveli District, is directed to consider the representation of the petitioner, dated 04.05.2018 and to give permission and to provide police protection for conducting **"Tamil Traditional Vil-Isai Katcheri (வில்லு பாட்டு) Program"** scheduled to be held on **18.05.2018** night at about 09.00 p.m., to 01.00 a.m., at Maruthakaruppasamy Thirukovil situated at Karuthanoor Village, Sankarankoil Taluk, Tirunelveli District.

ii) The petitioner and other participants shall not shout, raise any slogan for or against any party or party leader, any caste, community or creed.

iii) The petitioner shall ensure that no untoward incident is caused disturbing the public peace and tranquillity.

iv) The participants of festival shall not wear any form of dress showing offending slogans or picture of any communal/political leader which may cause disturbance.

v) Songs praising communal leader or having communal overtones should not be played.

vi) The petitioner will ensure that sufficient protection must be given to the public, especially women and children.



vii) There should not be any Flex Boards or hoardings representing any community or political leaders;

viii) 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;

ix) Similarly, the Police is empowered to stop the festival, if it exceeds beyond the permitted time that is upto 10.00 p.m.,;

x) the participants of the festival shall not intake any kind of toxic substance or liquor during the festival;

(xi) If there is any untoward incident took place, the village people and the organizers of the festival be made responsible for the same;

(xii) The respondent concerned is directed to issue necessary permission, incorporating the above conditions.

(Xiii) No permission is granted to conduct 'Addal Padal' programmes;

6. The second respondent is at liberty to put any further restrictions or to impose any conditions purely in the interest of preserving public order and tranquillity so as to maintain law and order and communal harmony. There can be a total ban for putting up any Flex Boards or hoardings representing any community. No costs.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

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

2. The Inspector of Police,
Panavadalichathiram Police Station,
Panavadalichathiram,
Sankarankovil Taluk,
Tirunelveli District.

+1cc to Mr.T.Indrachithu, Advocate Sr.No.65201

+1cc to The Spl. Government Pleader Sr.No.65249

TA/DSK

VB/SV/SAR3/15/05/2018/3P/5C

W.P. (MD) No.10736 of 2018

09.05.2018