



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **16.05.2018**

CORAM

THE HON'BLE MR. JUSTICE **M. S. RAMESH**

W.P. (MD) No.10916 of 2018

S.Muthaiah

... Petitioner

Vs.

1.The Superintendent of Police
Tirunelveli District

2.The Sub Inspector of Police
Panagudi Police Station
Tirunelveli District

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a WRIT OF MANDAMUS to direct the 2nd respondent to grant permission to conduct the cultural programmes (Innisai Katcheri and KaraKattam) during the Kodai Vizha festival of Sri Theiva Thevan Kovil scheduled to be held on 17.05.2018 and 18.05.2018 to celebrate the Kodai Vizha festival of Sri Theiva Thevan Kovil, South Valliyoor, Radhapuram Taluk, Thirunelveli District.

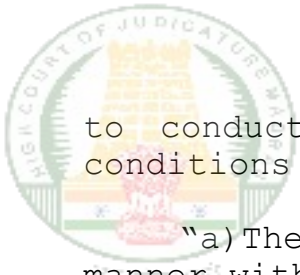
For Petitioner : Mr.R.Rajamohan
For Respondents : Ms.J.Padhmaavathi Devi
Special Government Pleader

O R D E R

The prayer in this writ petition is to direct the 2nd respondent to grant permission to conduct the cultural programmes (Innisai Katcheri and KaraKattam) during the Kodai Vizha festival of Sri Theiva Thevan Kovil scheduled to be held on 17.05.2018 and 18.05.2018 to celebrate the Kodai Vizha festival of Sri Theiva Thevan Kovil, South Valliyoor, Radhapuram Taluk, Thirunelveli District.

2.Heard the learned counsel for the petitioner as well as the learned Special Government Advocate appearing on behalf of the respondents.

3.In an identical matter, a Division Bench of this Court in an order passed in W.P. (MD) No.8975 of 2017 dated 10.05.2017 [M.Sakthi Vs. State rep. by the Inspector of Police, Odapatti Police Station, Odapatti, Theni District], had granted permission to the petitioner



to conduct cultural programme on certain conditions. The said conditions read as follows:

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

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

c)The dance performance shall be restricted between 6.00 p.m. and 11.00 p.m.

d)If there is any violation of the above said conditions, the respondent or the duly authorised officer is entitled to take necessary action as per law and stop such performance.

e)In case if there is any discrepancy with regard to the date on which the program is to be conducted, it would be open to the respondent police to extend protection on some other day after giving due notice to the petitioner"

4.I am of the view that similar conditions may also be imposed in the present writ petition. Consequently, the Writ Petition Stands allowed. The second respondent is directed to grant permission to the writ petitioner to conduct the cultural programmes (Innisai Katcheri and KaraKattam) during the Kodai Vizha festival of Sri Theiva Thevan Kovil at South Valliyoor, Radhapuram Taluk, Thirunelveli District on 17.05.2018 and 18.05.2018 subject to the aforesaid conditions. There shall be no order as to costs.

Sd/-
Vacation Officer

/True copy/

Sub Assistant Registrar

To

1.The Superintendent of Police
Tirunelveli District

2.The Sub Inspector of Police
Panagudi Police Station
Tirunelveli District

+1cc to Mr.R.Rajamohan, Advocate, SR.No.65352.

W.P. (MD) .No.10916 of 2018
16.05.2018