



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.10988 of 2018
and W.M.P. (MD) No.10111 of 2018

Vanamamalai Thevar

... Petitioner

Vs.

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

2.The Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of Certiorarified Mandamus, calling for the records pertaining to the order passed by the 2nd respondent in his proceedings in Nil dated 8.5.2018 and quash the same as illegal and consequentially direct the respondents to grant permission to the petitioner to conduct Light Music Program in "Sri Puliadi Brammasakthi Amman Thirukoil", Vagaikulam on 25.05.2018.

For Petitioner : Mr.T.A.Ebenezer
For Respondents : Mr.M.Murugan
Government Advocate

O R D E R

The prayer in this writ petition is to call for the records pertaining to the order passed by the 2nd respondent in his proceedings in Nil dated 8.5.2018 and quash the same as illegal and consequentially direct the respondents to grant permission to the petitioner to conduct Light Music Program in "Sri Puliadi Brammasakthi Amman Thirukoil", Vagaikulam on 25.05.2018.

2.Heard the learned counsel for the petitioner as well as the learned 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 impugned order dated 08.05.2018 is quashed and the Writ Petition stands allowed. The second respondent is directed to grant permission to the writ petitioner to conduct the cultural programme at "Sri Puliadi Brammasakthi Amman Thirukoil", Vagaikulam on 25.05.2018 subject to the aforesaid conditions. There shall be no order as to costs. Consequentially, connected Miscellaneous Petition is closed.

Sd/-

Vacation Officer.

/True Copy/

Sub Assistant Registrar

To

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

2. The Inspector of Police,
Nanguneri Police Station,
Tirunelveli District.

+1CC to Mr. T.A. Ebenezer, Advocate, SR.No. 65446

+1CC to the Special Government Pleader SR.No. 65636

W.P. (MD) .No. 10988 of 2018
16.05.2018

gns

AM/SKN RSK/SAR 3/22.05.2018/2P/5C