



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.05.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No.11128 of 2018

Paramasivan

: Petitioner

Vs.

1.The Superintendent of Police
Thirunelveli District,
Thirunelveli.

2.The Sub-Inspector of Police,
Thirukkurungkudi Police Station,
Thirunelveli District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondents to grant permission to conduct the "Music Show" in the evening hours on 24.05.2018 at 07.00 p.m to celebrating the festival of "Arulmigu Sri Madathu Adiyar Thirukkivil" Kodaivizha situated at Nambithalaivan Pattayam, Thirukkurungkudi, Thirunelveli District and further provide adequate police protection to the festival.

For Petitioner

: Mr.P.R.Prithiviraj

For Respondents

: Mr.M.Murugan
Government Advocate

O R D E R

The prayer in this writ petition is to direct the respondents to grant permission to conduct the "Music Show" in the evening hours on 24.05.2018 at 07.00 p.m to celebrating the festival of "Arulmigu Sri Madathu Adiyar Thirukkivil" Kodaivizha situated at Nambithalaivan Pattayam, Thirukkurungkudi, Thirunelveli District and further provide adequate police protection to the festival.

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 Music Show by any one of the participants or others.

c)The Music Show 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 "Music Show" at "Arulmigu Sri Madathu Adiyar Thirukkivil Kodaivizha" situated at Nambithalaivan Pattayam, Thirukkurungkudi, Thirunelveli District on 24.05.2018 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
Thirunelveli District,
Thirunelveli.

2.The Sub-Inspector of Police,
Thirukkurungkudi Police Station,
Thirunelveli District.

+1cc to Special Government Pleader, SR.No.65648
+1cc to Mr.P.R.Prithiviraj, Advocate, SR.No.65383

W.P. (MD) No.11128 of 2018
16.05.2018