



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2018

CORAM:

WEB COPY

**THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH**

W.P. (MD) .No.18468 of 2018

A.Nalla Perumal

...Petitioner

**Vs.**

1. The Deputy Superintendent of Police,  
Ambasamudram Taluk,  
Tirunelveli District.

2. The Inspector of Police,  
Kallidaikurichi,  
Ambasamudram Taluk,  
Tirunelveli District.

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified mandamus by calling for the records of the impugned order passed by the 1<sup>st</sup> respondent made in Naa Kaa No.389 Sa.Mu.Aa/Kaa.Thu.K/2018 dated 19.08.2018 and quash the same as illegal and consequently direct the respondents to allow the petitioner to conduct Villupattu programme by using loud speakers in minimum decibel scheduled to be held on 27.08.2018 to 29.08.2018 at the festival of Arulmigu Mutharamman Temple, Kottai Idaikud Street, Kallidaikurichi, Ambasamudram Taluk, Tirunelveli District between 10.00 pm to 1.00 am for three consecutive days.

|                 |                     |
|-----------------|---------------------|
| For Petitioner  | :Mr.S.Bharathi      |
| For Respondents | :Mr.B.Bhagawathi    |
|                 | Government Advocate |

### **O R D E R**

This Writ Petition has been filed challenging the order passed by the first respondent dated 19.08.2018 wherein the application given by the petitioner for permission to conduct Villupattu programme has been rejected .

2. The learned counsel for the petitioner would submit that every year the festival is being conducted in Arulmigu Mutharamman



Temple, Kottai Idaikud Street, Kallidaikurichi, Ambasamudram Taluk, Tirunelveli District during the month of August and Villu Pattu programme is also conducted during the said festival. The petitioner applied for permission to the respondents, by application dated 16.08.2018 to permit the petitioner to conduct the Villu Pattu Programme. The first respondent by order dated 19.08.2018 has rejected the said application mainly on the ground that it may give raise to law and order problem.

3.Per contra, Mr.B.Bhagawathi, learned Government Advocate appearing for the respondents would submit that since this programme will be attended by persons belonging to various communities, there is a possibility of law and order problem. The learned Government Advocate would further submit that the first respondent has taken into consideration the prevailing situation and only thereafter has rejected the permission.

4.This Court has carefully considered the submissions made on either side.

5.The petitioner has only sought for the permission of the respondents to conduct Villu Pattu in the temple from 27.08.2018 to 29.08.2018 between 10.00 pm and 12.00am. There is absolutely no material for this Court to come to a conclusion that law and order problem will be created by permitting Villu Pattu to be conducted. Admittedly, there is no rival party, who is objecting the programme being conducted. In fact by allowing such Villu Pattu programme, the people belonging to the village will be able to enjoy the same.

6.Therefore, the first respondent is directed to permit the petitioner to conduct Villu Pattu Programme from 27.08.2018 to 29.08.2018, subject to the following conditions:-

"(a)It is made clear that this order is passed only to enable the petitioner to conduct the programme namely, "Villu Pattu" and not for conducting any other programme;

(b)the timing of the programme in connection with the festival of Arulmigu Mutharamman Temple, Kottai Idaikud Street, Kallidaikurichi, Ambasamudram Taluk, Tirunelveli District scheduled to be held from 27.08.2018, shall be extended beyond usual time and the petitioner is permitted to conduct the religious and non-religious functions simultaneously till 02.00 am., on the next day.

(c) there should not be any kind of obscene dance or vulgar dialogues during the performance;

(d) no double meaning songs should be played

<https://hcservices.courts.gov.in/hcservices> during the programme;

(e) no dance or song, touching upon any political party, religion, community or caste should be played;



(f) no flex boards in support of any political party or religious leader should be erected;

(g) the function should not affect either religious or communal harmony and shall be conducted without any caste discrimination;

(h) if any one of the aforesaid conditions, is violated, the Police Officer concerned is at liberty to take necessary action in accordance with law and stop such performance.

(i) the participants of the programme should not intake any kind of intoxicant or liquor during the programme; and

(j) if any untoward incident takes place, the organizers of the programme be held responsible for the same."

7.The writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar (CS-II)

**To**

1. The Deputy Superintendent of Police,  
Ambasamudram Taluk,  
Tirunelveli District.

2. The Inspector of Police,  
Kallidaikurichi,  
Ambasamudram Taluk,  
Tirunelveli District.

+ 1 CC TO Mr.S.BHARATHI, ADVOCATE IN SR No. 80114

DSK

TE/KAK/SAR-2 : 27/08/2018 : 3P/4C