



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 29.10.2018
CORAM:
THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.(MD).No.22035 of 2018

WEB COPY

Murugesan

...Petitioner

Vs.

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

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

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to grant permission and protection for cultural event namely Innisai Katcheri (Bakthi Padalkal) scheduled to be held on 05.11.2018 at night 09.00 p.m. to 12.00 p.m. in connection with the Kodai Vizha in Arulmigu Sri Anandha Valli Amman, Sri Kaliyamman Kovil, at Periyakovilankulam Village, Sankarankovil Tk., Tirunelveli Dt., by considering by petitioner's representation dated 15.10.2018.

For Petitioner :Mr.B.Santhanam Rajesh Kumar
For Respondents :Mr.B.Bhagawathi,
Government Advocate

O R D E R

This Writ Petition has been filed seeking for a direction to the respondents to grant permission and protection for cultural event namely Innisai Katcheri (Bakthi Padalgal) scheduled to be held on 05.11.2018 in connection with the Kodai Vizha in Arulmigu Sri Anandha Valli Amman, Sri Kaliyamman Kovil, at Periyakovilankulam Village, Sankarankovil Taluk., Tirunelveli District by considering by petitioner's representation dated 15.10.2018.

2.The learned counsel for the petitioner would submit that every year Kodai Vizha of Arulmigu Sri Anandha Valli Amman, Sri Kaliyamman Kovil is being celebrated and Innisai Katcheri (Bakthi Padalgal) is also conducted during the said festival. The petitioner applied for permission to the respondent police by application dated 15.10.2018 seeking for permission and police protection to the said festival and Innisai Katcheri. But, however, the respondent has not passed any orders on the representation of the petitioner. Hence, the present writ petition is filed for appropriate direction to the respondent Police.

<https://hcservices.ecourts.gov.in/hcservices/>

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.

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 Innisai Katcheri (Bakthi Padalgal) in the temple from on 05.11.2018 at 9.00 pm to 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 innisai Katcheri (Bakthi Padalgal) to be conducted. Admittedly, there is no rival party, who is objecting the programme being conducted. In fact by allowing such innisai Katcheri (Bakthi Padalgal) programme, the people belonging to the village will be able to enjoy the same.

6. Therefore, the respondent Police are directed to consider the application of the petitioner dated 15.10.2018 and grant permission and police protection for conducting innisai Katcheri (Bakthi Padalgal) Programme on 05.11.2018, 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, "Innisai Katcheri (Bakthi Padalgal)" and not for conducting any other programme;

(b) the timing of the programme in connection with Kodai Vizha in Arulmigu Sri Anandha Valli Amman, Sri Kaliyamman Kovil, at Periyakovilankulam Village, Sankarankovil Taluk., Tirunelveli District scheduled to be held from 05.11.2018, shall be extended beyond usual time and the petitioner is permitted to conduct the religious and non-religious functions simultaneously till 12.00am., 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 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-I)

To

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

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

• 1 CC TO Mr. B. SANTHANAM RAJESH KUMAR, ADVOCATE IN SR No. 92934.
+1 cc to Special Government Pleader, SR.No. 92959.

DSK

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