



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.10.2018

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.22173 of 2018

Annapandian

... 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 seeking a Writ of Mandamus, directing the respondents to grant permission and adequate police protection for cultural event namely, "Villisai Katcheri and Karagattam" scheduled to be held on 06.11.2018 and 07.11.2018 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 Taluk, Tirunelveli District, by considering the petitioner's representation dated 10.10.2018.

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

ORDER

This writ petition has been filed, directing the respondents to grant permission and adequate police protection for cultural event namely, "Villisai Katcheri and Karagattam" scheduled to be held on 06.11.2018 and 07.11.2018 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 Taluk, Tirunelveli District, by considering the petitioner's representation dated 10.10.2018.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

3.The learned Government Advocate appearing for the respondents submits that the police does not have any reservations on the place, where the programme is to be conducted. However, there is an apprehension that some law and order problem may arise during the programme.



4. The respondents police are directed to grant permission for conducting the cultural programme by enclosing the following conditions:

i) The petitioner and other participants shall not shout, raise any slogan for or against any party or party leader, any caste, community or creed;

ii) The petitioner shall ensure that no untoward incident is caused disturbing the public peace and tranquillity;

iii) The petitioner shall ensure proper first aid arrangements by keeping one or two doctors in the venue;

iv) The participants of cultural programme shall not wear any form of dress showing offending slogans or picture of any communal/political leader which may cause disturbance;

v) Songs praising communal leader or having communal overtones should not be played;

vi) The petitioner will ensure that no flex board or hoardings depicting particular community or leader will be displayed;

vii) There should not be any Flex Boards representing any community or political leaders;

viii) If there is any violation of any one of the conditions imposed, the concerned Police Officer is at liberty to take necessary action, as per law and stop such performance;

ix) Similarly, the Police is empowered to stop the cultural programme, if it exceeds beyond the permitted time;

x) the participants of the programme shall not intake any kind of toxic substance or liquor during the programme;

xi) If there is any untoward incident took place, the village people and the organizers of the programme be made responsible for the same;

xii) The Referee must be authorized person from the District Association; and

xiii) The second respondent is at liberty to put any further restrictions or to impose any conditions purely in the interest of preserving public order and tranquillity,



so as to maintain law and order and communal harmony.

5.The petitioner is also directed to ensure that the conditions are strictly complied with and also to ensure that no law and order problem is created in the course of conducting the programme.

6.The writ petition stands disposed of with the above directions. No costs.

Sd/-
Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar(CS-III)

Myr

To

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

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

+1cc to Mr.B.Santhanam Rajesh Kumar, Advocate in SR No.93459

W.P. (MD) No.22173 of 2018

NM/RP/SAR III/01.11.18/3P/4C