



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

**W.P. [MD].No.23743 of 2018**

Mahesh

: 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 2<sup>nd</sup> respondent to grant permission and protection for Traditional Events namely "Vanavedikkai, Melathalam and Therukoothu" scheduled to be held on 04.12.2018 and 05.12.2018 at night in connection with "Temple Festival" in Arulmigu Sri Eswari Amman and Vinayagar Thirukovil at Kurukkalpatti Village, Sankarankovil Taluk, Tirunelveli District, by consider the petitioner's representation dated 24.11.2018.

For petitioner : Mr.R.Pon Karthikeyan

For respondents : Mr.R.Anandharaj  
Additional Public Prosecutor

### **ORDER**

This Writ Petition has been filed to direct the second respondent to grant permission and protection for Traditional Events namely "Vanavedikkai, Melathalam and Therukoothu" scheduled to be held on 04.12.2018 and 05.12.2018 at night in connection with "Temple Festival" in Arulmigu Sri Eswari Amman and Vinayagar Thirukovil at Kurukkalpatti Village, Sankarankovil Taluk, Tirunelveli District, by consider the petitioner's representation dated 24.11.2018.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.



3. The learned counsel for the petitioner would submit that the petitioner is the Tharmakatha of Arulmigu Sri Eswari Amman and Vinayagar Thirukovil at Kurukkalpatti Village, Sankarankovil Taluk, Tirunelveli District. Every year, the temple festival will be celebrated in the said temple with very grand manner and this year also the petitioner's village planned to conduct Temple Festival on 04.12.2018 & 05.12.2018. In front of the temple, the villagers planned to conduct Traditional Events namely Vanavedikkai, Melathalam and Therukoothu on 04.12.2018 & 05.12.2018. In this regard, the petitioner gave a representation to the second respondent on 24.11.2018. Since no action has been taken, the present writ petition has been filed.

4. The learned Additional Public Prosecutor appearing for the respondents, on instructions, would submit that the respondents have no serious objection. He further submitted that permission may be granted subject to stringent conditions.

5. Considering the facts and circumstances of the case, the Writ Petition is disposed of with the following directions:

The second respondent/The Inspector of Police, Chinnakovilankulam Police Station, Tirunelveli District is directed to consider the representation of the petitioner, dated 24.11.2018 and to give permission and to provide police protection for Traditional Events namely Vanavedikkai, Melathalam and Therukoothu done by Arulmigu Sri Eswari Amman and Vinayagar Thirukovil at Kurukkalpatti Village, Sankarankovil Taluk, Tirunelveli District, scheduled to be held on 04.12.2018 & 05.12.2018, subject to the following conditions;

(a) Traditional Events namely Vanavedikkai, Melathalam and Therukoothu done by Arulmigu Sri Eswari Amman and Vinayagar Thirukovil at Kurukkalpatti Village, Sankarankovil Taluk, Tirunelveli District scheduled to be held on 04.12.2018 & 05.12.2018, should be completed before 11.00 p.m..

(b) There should not be any kind of obscene dance or vulgar dialogues during the performance, by anyone of the participants.

(c) Double meaning songs should not be played as they will spoil the minds of students and youths.

(d) No dance or songs, touching upon any political party or religion or community or caste shall be played.

(e) No flex boards in support of any political party or communal leader, shall be erected at the premises of the programme.



(f) The function shall not affect either religious or communal harmony and shall be conducted without any discrimination based on caste.

(g) If there is 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 forthwith; and

(h) Similarly, the police is directed to stop the dance programme, if it is conducted beyond the permitted time limit.

(i) The petitioner as well as the organizers shall give a letter of undertaking agreeing to strictly adhere to the above conditions.

6.It is open to the second respondent police to put any further restrictions or to impose any conditions purely in the interest of preserving public order and tranquility. There can be a total ban for putting up any Flex Board representing any community. No costs.

Sd/-

Assistant Registrar (CrI.Side)

// True Copy //

Sub Assistant Registrar(CS-I)

To

1.The Superintendent of Police,  
Tirunelveli District.

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

+1cc to Mr.R.Pon Karthikeyan, Advocate, SR.No.98013.

**W.P. [MD] .No.23743 of 2018**  
**30.11.2018**

TM

RAM/RSK/SAR 1/03.12.2018/3P/4C