



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 31.08.2018
CORAM:
THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.(MD).No.18995 of 2018

Karmegam Yathav

...Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli

2.The Inspector of Police,
Chinna Kovilnankulam Police Station,
Tirunelveli District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus directing the respondents to grant permission and protection for Innisai Katcheri scheduled to be held on 01.09.2018 at night 07.00 p.m. to 12.00 a.m. in connection with Krishna Jeyanthi Festival in Muthusamipuram Village, Kadayanallur Taluk., Tirunelveli District, by considering the petitioners representation dated 18.08.2018.

For Petitioner	:Mr.S.Selvakumar
For Respondents	:Mr.S.Dhayalan, Government Advocate

O R D E R

This Writ Petition has been filed for a direction to the respondents to grant permission and protection for Innisai Katcheri scheduled to be held on 01.09.2018.

2.The learned counsel for the petitioner would submit that every year, Krishna Jeyanthi Festival is being conducted in in Muthusamipuram Village, Kadayanallur Taluk., Tirunelveli District, and Innisai katcheri is also conducted during the said festival. The petitioner applied for permission and also for protection to the respondents, by applications dated 18.08.2018 and 29.08.2018 to permit the petitioner to conduct the Innisai katcheri. However, no order has been passed by the respondents on the applications of the petitioner.

3.Mr.S.Dhayalan,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 and also protection from the respondents to conduct the Innisai Katcheri on 01.09.2018. There is absolutely no material for this Court to come to a conclusion that there will be a law and order problem created by permitting the "Innisai Katcheri" to be conducted. Admittedly, there is no rival party who is objecting the conducting of this programme. In fact by allowing this Innisai Katcheri, the people belonging to the village will be able to enjoy good music.

6. The second respondent is directed to consider the petitioner's applications dated 18.08.2018 and 29.08.2018 and grant permission to the petitioner to conduct the Innisai Katcheri and also to give protection for the said programme on 01.09.2018, subject to the following conditions:-

"(a) It is made clear that this order is issued only to enable the petitioner to conduct the music programme namely, "Innisai Katcheri" and not for conducting any other programme;

(b) The timing of the programme in connection with the Krishna Jeyanthi Festival in Muthusamipuram Village, Kadayannallur Taluk., Tirunelveli District to be held from 01.09.2018 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 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 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 (Crl Side)

/True copy/

Sub Assistant Registrar (CS-IV)

To

1. The Superintendent of Police,
Tirunelveli District,
Tirunelveli

2. The Inspector of Police,
Chinna Kovilnankulam Police Station,
Tirunelveli District.

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