



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.09.2018

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.19904 of 2018

V.Seenivasan

...Petitioner

Vs.

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

2.The Inspector of Police,
Meingnanapuram Police Station,
Thiruchendur Taluk,
Thoothukudi District.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus directing the respondents to grant permission to conduct Innisai Kacheri (Musical Concert), along with cultural programme from 07.00 P.M to 10.00 P.M. on 27.09.2018 with regard to the Kodai festival of Sree Mutharamman Temple at Athiyadithattu, Manadu Thandupathu Village, Thiruchendur Taluk, Thoothukudi District by considering petitioner's representation dated 04.09.2018.

For Petitioner	:Mr.S.R.Anbarasu
For Respondents	:Mr.S.Angappan, 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 27.09.2018.

2.The learned counsel for the petitioner would submit that every year, Kodai Festival is being conducted Sree Mutharamman Temple at Athiyadithattu, Manadu Thandupathu Village, Thiruchendur Taluk, Thoothukudi District and Innisai katcheri is also conducted during the said festival. The petitioner applied for permission and also for protection to the respondents, by application dated 04.09.2018 to permit the petitioner to conduct the Innisai katcheri. However, no order has been passed by the respondents on the application of the petitioner.



3.Mr.S.Angappan, 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.

WEB COPY 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 27.09.2018. 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 application dated 04.09.2018 and grant permission to the petitioner to conduct the Innisai Katcheri and also to give protection for the said programme on 27.09.2018, 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 Kodai Festival being conducted at Sree Mutharamman Temple at Athiyadithattu, Manadu Thandupathu Village, Thiruchendur Taluk, Thoothukudi District to be held from 27.09.2018 shall be permitted from 7.00pm to 10.00pm.

(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 (T & P)

// True Copy //

Sub Assistant Registrar (CS-III)

To

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

2. The Inspector of Police,
Meingnanapuram Police Station,
Thiruchendur Taluk,
Thoothukudi District.

+1 CC To MR.S.R.ANBURASU, Advocate SR. NO.85126

W.P. (MD) .No.19904 of 2018

DSK

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