



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED : 18.09.2018  
CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

WEB COPY

W.P. (MD).No.19920 of 2018

Shanmugaiah

...Petitioner

Vs.

The Sub Inspector of Police,  
Chinnakovilankulam Police Station,  
Chinnakovilankulam,  
Sankarankovil Taluk,  
Tirunelveli District.

...Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, for issuance Writ of Certiorarified Mandamus calling for the records relating to the impugned order of rejection dated Nil issued by the respondent police and quash the same and consequently directing the Respondent to grant permission and to provide police protection to conduct the Traditional songs, Orchestra and Kaniyan Koothu (a kind of Villupattu) programmes from 23.09.2018 to 25.09.2018 in pursuant to the 'Kodai Vizha' of Arulmigu Uchini Mahali Amman-Vadakasai Amman Thirukovil, situated at Aatkondarkulam, Sankarankoil Taluk, Tirunelveli District.

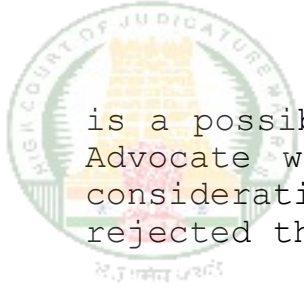
For Petitioner : Mr.D.Rameshkumar  
For Respondents : Mr.S.Angappan,  
Government Advocate

### ORDER

This Writ Petition has been filed challenging the order passed by the respondent dated Nil wherein the application given by the petitioner for permission to conduct Innisai Katcheri and Villupattu programme has been rejected .

2.The learned counsel for the petitioner would submit that every year 'Kodai Vizha' of Arulmigu Uchini Mahali Amman-Vadakasai Amman Thirukovil, situated at Aatkondarkulam, Sankarankoil Taluk, Tirunelveli District and Villu Pattu programme and Innisai Katcheri are also conducted during the said festival. The petitioner applied for permission to the respondent by application dated 13.09.2018 to permit the petitioner to conduct the Villu Pattu Programme. The respondent by order dated Nil has denied permission for conducting such programme.

3.Per contra, 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. The learned Government Advocate would further submit that the respondent has taken into consideration the prevailing situation and only thereafter has rejected the permission.

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 Villu Pattu in the temple from 23.09.2018 to 25.09.2018. There is absolutely no material for this Court to come to a conclusion that law and order problem will be created by permitting Villu Pattu to be conducted. Admittedly, there is no rival party, who is objecting the programme being conducted. In fact by allowing such Villu Pattu programme, the people belonging to the village will be able to enjoy the same.

6. Therefore, the order passed by the respondent is set aside and the respondent is directed to re-consider the application of the petitioner dated 13.09.2018 and grant permission and police protection for conducting Villu Pattu Programme and Innisai Katcheri from 23.09.2018 to 25.09.2018, 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, "Villu Pattu and Innisai Katcheri" and not for conducting any other programme;

(b) the timing of the programme in connection with the 'Kodai Vilzha' of Arulmigu Uchini Mahali Amman-Vadakasai Amman Thirukovil, situated at Aatkondarkulam, Sankarankoil Taluk, Tirunelveli District scheduled to be held from 23.09.2018, shall be extended beyond usual time and the petitioner is permitted to conduct the religious and non-religious functions simultaneously till 01.00 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 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

To

The Sub Inspector of Police,  
Chinnakovilankulam Police Station,  
Chinnakovilankulam,  
Sankarankovil Taluk,  
Tirunelveli District.

+1CC to Mr.D.Rameshkumar, Advocate, SR.No.84863

W.P. (MD) .No.19920 of 2018  
18.09.2018

DSK  
ES/RP/SAR 3/19.09.2018/3P/3C