



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2018

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) No.20176 of 2018

M.Subramanian

... Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District.

2.The Inspector of Police,
Thisaiyanvillai Police Station,
Tirunelvlei District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the second respondent to grant permission to perform the cultural program namely Gramia Kalainigalchi on 27.09.2018 night at about 07.00 p.m., to 11.00 p.m in connection with temple Festival at Arulmigu Sri Muthuramman Sri Enapulamadan Samy Kovil is situated at Vijayaatchampadu Village, Thisaiyanvillai Taluk, Tirunelvli District and to provide adequate police protection based on the petitioner's representations dated 18.09.2018.

For Petitioner : Mr.S.R.M.Kumarezh
For Respondents : Mr.B.Bhagawathi
Government Advocate

ORDER

This Writ Petition has been filed for a direction to the second respondent to provide police protection as well as permission for conducting the cultural program namely Gramia Kalainigalchi on 27.09.2018 night at about 07.00 p.m to 11.00 p.m., in connection with temple festival at Arulmigu Sri Muthuramman Sri Enapulamadan Samy Kovil is situated at Vijayaatchampadu Village, Thisaiyanvillai Taluk, Tirunelvlei District.

2.The petitioner has given a representation to the respondents in this regard on 18.09.2018.



3. There shall be a direction to the second respondent to positively consider the representation made by the petitioner on 18.09.2018 and grant permission and sufficient protection for the cultural program and other programmes on 27.09.2018 at night 07.00 p.m., to 11.00 p.m. The second respondent is at liberty to impose any conditions and the petitioner is bound to comply with the same.

4. The petitioner is further directed to ensure that all the programmes complied with the following conditions:

(a) there should not be any kind of obscene dance or vulgar dialogues during the performance, by any one of the participants;

(b) double meaning songs should not be played so as to spoil the minds of students and the youth;

(c) no dance or songs, touching upon any political party or religion, community or caste be played;

(d) no flex boards in support of any political party or religious leader be erected;

(e) the function should not affect either religious or communal harmony and shall be conducted without any discrimination based on caste;

(f) 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;

(g) similarly, the police is empowered to stop the programme, if it exceeds beyond the permitted time;

(h) the participants of the programme shall not intake any kind of in-toxic substance or liquor during the programme; and

(i) if any untoward incident takes place, the organizers of the programme be made responsible for the same;

(j) It is open to the respondent police to put any further restrictions or to impose any conditions purely in the interest of preserving public order and tranquillity. There can be a total ban for putting up any Flex Boards representing any community.

5. This Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS-I)



To

1. The Superintendent of Police,
Tirunelveli District.

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

+1 CC To MR.S.R.M.KUMAREZH, Advocate SR. NO. 85911
+1 CC TO The Special Government Pleader SR.NO. 86175

W.P. (MD) No. 20176 of 2018

AAV

TR/RP/SAR-I (24.09.2018) 3P 5C