



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.04.2019

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THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P. (MD) No.10490 of 2019

A.Veeranan

... Petitioner

Vs.

1.The District Collector,
Madurai District, Madurai 625 020.

2.The Superintendent of Police,
District Superintendent of Police Office,
K.Puthur, Madurai District, Madurai.

3.The Inspector of Police,
Palamedu Police Station,
Madurai District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the respondents to grant permission to conduct the Manju Virattu scheduled on 18.05.2019 on account of on temple festival at Manthai Amman Temple, Konapatti, Palamedu Post, Vadipatti Taluk, Madurai by considering the petitioner's representation dated on 12.04.2019.

For Petitioner : Mr.C.Karthikeya

For Respondents : Mrs.S.Bharathi

Government Advocate (Crl. side)

ORDER

This writ petition has been filed to issue a direction to the respondents to to grant permission to conduct the Manju Virattu scheduled on 18.05.2019 on account of on temple festival at Manthai Amman Temple, Konapatti, Palamedu Post, Vadipatti Taluk, Madurai by considering the petitioner's representation dated on 12.04.2019.

2.Heard the learned Counsel appearing for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondents.

3.The petitioner has made a representation dated 12.04.2019 to the respondents, seeking for a direction and since no order has been passed, the petitioner has filed this Writ Petition.



4.The learned counsel appearing for the petitioner submitted that this festival is being conducted for several years in the Temple, namely Manthai Amman Temple Festival in the above said Village. This festival, in fact is jointly conducted by the villagers belonging to the said village.

5.The learned Government Advocate (Crl. Side) appearing for the respondents would submit that the respondents is not in a position to permit the same, since it may cause law and order problem.

6.It is seen from the records that Manju Virattu has been conducted in the above said village for several years, jointly by the village people. Hence, this Court is of the view that mere apprehension of the law and order problem itself is not a ground to reject the permission without there being any material to substantiate the same. In this case, it is seen that there is no rival party to interfere and therefore, there is no ground to reject granting such a permission.

7.Considering the facts and circumstances of the case, the third respondent is directed to grant permission and provide protection to the petitioner for conducting Manju Virattu on 18.05.2019 in the village namely Konapatti, Palamedu Post, Vadipatti Taluk, Madurai District in the temple namely Manthai Amman Temple with the following conditions:

“(a)the participants are directed not to harass the animals.

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

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

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

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

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

(g)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.

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

<https://hcservices.ecourts.gov.in/hcservices/> any untoward incident takes place, the organizers of the programme be made responsible for the same.”



8.The third respondent/the Inspector of Police, Palamedu Police Station, Madurai District, is directed to take all steps to ensure that the programme is conducted in a peaceful manner by imposing suitable conditions taking into consideration the ground situation and reality. The parties shall abide by the conditions imposed.

9.With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

To

1.The District Collector,
Madurai District, Madurai 625 020.

2.The Superintendent of Police,
District Superintendent of Police Office,
K.Puthur, Madurai District, Madurai.

3.The Inspector of Police,
Palamedu Police Station,
Madurai District.

+1 CC to M/s.C.KARTHIKEYA, Advocate(SR-63568[F] dated
27/04/2019)

SJI

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27.04.2019

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