



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.04.2019

WEB COPY

CORAM :

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P. (MD) No.10530 of 2019

P.R.Renganathan @ Sugu

... Petitioner

/Vs./

1.The Deputy Superintendent of Police,
Thiruchendur Division,
Tuticorin District.

2.The Inspector of Police,
Arumuganeri Police Station,
Arymuganeri, Tuticorin District.

... Respondents

Prayer: Writ Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to grant permission and necessary protection to Drama on 13.05.2019 at 07.00 p.m and Innisai Katcheri on 14.05.2019 at 07.00 p.m., in the eve of Arulmigu Lakshmi Amman Kovil Kodai Festival at Odakarai, Kayalpattinam, Thiruchendur Taluk, Tuticorin District.

For Petitioner : Mr.J.Ashok

For Respondents : Mrs.S.Bharathi

Government Advocate (Crl. Side)

ORDER

This writ petition has been filed to direct the respondents to grant permission and to give adequate police protection to grant permission and necessary protection to Drama on 13.05.2019 at 07.00 p.m and Innisai Katcheri on 14.05.2019 at 07.00 p.m., in the eve of Arulmigu Lakshmi Amman Kovil Kodai Festival at Odakarai, Kayalpattinam, Thiruchendur Taluk, Tuticorin District.

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

3. The learned counsel for the petitioner would submit that the Villagers have conducted the temple festival every year peacefully. As per the tradition and customs, this year also the Villagers have planned to conduct **Drama and Innisai Katcheri** to be

held 13.05.2019 and 14.05.2019. In this regard, the petitioner gave a representation to the respondents on 25.04.2019. Since no action has been taken, the present writ petition has been filed.

4. The learned Government Advocate (Crl. Side) appearing for the respondents, on instructions, would submit that the respondents have no serious objection. He further submitted that permission may be granted subject to stringent conditions.

5. Considering the facts and circumstances of the case, this Court grants permission to conduct **Drama and Innisai Katcheri** on 13.05.2019 and 14.05.2019 upto 11.00 p.m., and the Writ Petition is disposed of with the following directions:

The second respondent / Inspector of Police, Arumuganeri Police Station, Arymuganeri, Tuticorin District, is directed to consider the representation of the petitioner, dated 25.04.2019 and to give permission and to provide police protection for "Drama and Innisai Katcheri" program in the eve of Arulmigu Lakshmi Amman Kovil Kodai Festival at Odakarai, Kayalpattinam, Thiruchendur Taluk, Tuticorin District, scheduled to be held on 13.05.2019 and 14.05.2019, subject to the following conditions:-

(a) programme I.e., Drama and Innisai Katcheri, done in Arulmigu Lakshmi Amman Kovil Kodai Festival at Odakarai, Kayalpattinam, Thiruchendur Taluk, Tuticorin District, scheduled to be held on 13.05.2019 and 14.05.2019 should be completed before 11.00 p.m.

(b) There should not be any kind of obscene dance or vulgar dialogues during the performance, by anyone of the participants.

(c) Double meaning songs should not be played as they will spoil the minds of students and youths.

(d) No dance or songs, touching upon any political party or religion or community or caste shall be played.

(e) No flex boards in support of any political party or communal leader, shall be erected at the premises of the programme.

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

(g) If there is 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 forthwith; and



(h) Similarly, the police is directed to stop the programme, if it is conducted beyond the permitted time limit.

(i) The petitioner as well as the organizers shall give a letter of undertaking agreeing to strictly adhere to the above conditions.

6. It is open to the second respondent police to put any further restrictions or to impose any conditions purely in the interest of preserving public order and tranquility. There can be a total ban for putting up any Flex Board representing any community. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Deputy Superintendent of Police,
Thiruchendur Division,
Tuticorin District.

2. The Inspector of Police,
Arumuganeri Police Station,
Arymuganeri, Tuticorin District.

+1 CC to M/s. J. ASHOK, Advocate (SR-63305[F] dated 27/04/2019)

SJI/PL

Order made in
W.P. (MD) No. 10530 of 2019
27.04.2019

KM/ (03.05.2019) 3P 4C