



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.05.2019

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THE HONOURABLE MRS. JUSTICE T.KRISHNAVALLI

W.P. (MD) No.11890 of 2019

Thavasi Gounder

... Petitioner

Vs.

The Inspector of Police,
Manapparai Police Station,
Trichy District.

... Respondent

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 ''Gramiya Kalai Nigazhchi'' on 12.05.2019 at about 08.00 p.m. in the eve of ''Paul Kudam'' festival of the ''Sri Veppilai Mariamman Kovil'' situated in Manapparai, Manaparai Taluk, Trichy District in pursuant to petitioner's representation dated 09.05.2019.

For Petitioner : Mr.R.Maheswaran

For Respondent : Mr.S.Chandraseker

Additional Public Prosecutor

ORDER

This writ petition has been filed to direct the respondents to grant permission to conduct ''Gramiya Kalai Nigazhchi'' on 12.05.2019 at about 08.00 p.m. in the eve of ''Paul Kudam'' festival of the ''Sri Veppilai Mariamman Kovil'' situated in Manapparai, Manaparai Taluk, Trichy District in pursuant to petitioner's representation dated 09.05.2019.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

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 ''**Gramiya Kalai Nigazhchi**'' on 12.05.2019 at about 08.00 p.m. In this regard, the petitioner gave a representation to the respondent on 09.05.2019. Since no action has been taken, the present writ petition has been filed.



4. The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that the respondent has 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 **'Gramiya Kalai Nigazhchi'** on 12.05.2019 between 07.00 p.m., and 11.00 p.m., and the Writ Petition is disposed of with the following directions:

The respondent / Inspector of Police, Manapparai Police Station, Trichy District, is directed to consider the representation of the petitioner, dated 09.05.2019 and to give permission and to provide police protection for **'Gramiya Kalai Nigazhchi'**, in the festival of **'Sri Veppilai Mariamman Kovil'**, at Manapparai, Manapparai Taluk, Trichy District, scheduled to be held on 12.05.2019, subject to the following conditions:-

- (a) **'Gramiya Kalai Nigazhchi'** done in **'Sri Veppilai Mariamman Kovil'**, at Manapparai, Manapparai Taluk, Trichy District, scheduled to be held on 12.05.2019, 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) No price shall be given in the name of any political party or in the name of any Member associated with any political party.
- (g) The function shall not affect either religious or communal harmony and shall be conducted without any discrimination based on caste.
- (h) 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
- (i) Similarly, the police is directed to stop the dance programme, if it is conducted beyond the permitted time limit.
- (j) 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 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/-

Vacation Officer/
Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

vsd

To

1.The Inspector of Police,
Manapparai Police Station,
Trichy District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC TO MR.SR.MAHESWARAN, Advocate Sr. No. 65686

Order made in

W.P. (MD) No.11890 of 2019

NR(CO)

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