



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.05.2019

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE S.RAMATHILAGAM

W.P. (MD) No.12220 of 2019

A.Kalimuthu

... Petitioner

/Vs./

1.The Superintendent of Police,
Tirunelveli District, Tirunelveli.

2.The Inspector of Police,
Manoor Police Station,
Tirunelveli 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 protection to perform a temple festival on 23.05.2019 to 24.05.2019 and "ISAI KACHERI" Program scheduled to be held on 23.05.2019 at 10.00 p.m. to 1.00 a.m., and "KOVIL KODAI" program scheduled to be held on 24.05.2019 at 10.00 p.m. to 1.00 a.m., "Kovil Festival" at "Sri Akkinimadasamy Temple" at Pallamadai Village, Manoor Taluk, Tirunelveli District based on petitioner's representation dated 13.05.2019.

For Petitioner	: Mr.P.Muthupandi
For Respondents	: M/s.M.Ananthadevi
	Government Advocate (Crl. Side)

ORDER

This writ petition has been filed to direct the the respondents to grant permission and protection to perform a temple festival on 23.05.2019 to 24.05.2019 and "ISAI KACHERI" Program scheduled to be held on 23.05.2019 at 10.00 p.m. to 1.00 a.m., and "KOVIL KODAI" program scheduled to be held on 24.05.2019 at 10.00 p.m. to 1.00 a.m., "Kovil Festival" at "Sri Akkinimadasamy Temple" at Pallamadai Village, Manoor Taluk, Tirunelveli District based on petitioner's representation dated 13.05.2019.

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 **Innisai Katcheri** on 23.05.2019 at night and **Kovil Kodai Programme** on 24.05.2019. In this regard, the petitioner gave a representation to the respondents on 13.05.2019. Since no action has been taken, the present writ petition has been filed.

WEB COPY

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 **Innisai Katcheri** on 23.05.2019 from 07.00 p.m. to 10.00 p.m., and **Kovil Kodai Programme** on 24.05.2019 and the Writ Petition is disposed of with the following directions:

The second respondent / Inspector of Police, Manoor Police Station, Tirunelveli District, is directed to consider the representation of the petitioner, dated 13.05.2019 and to give permission and to provide police protection for "Innisai Katcheri" program and Kovil Kodai Programme in the eve of "Kovil Festival" at "Sri Akkinimadasamy Temple" at Pallamadai Village, Manoor Taluk, Tirunelveli District, scheduled to be held on 23.05.2019 and 24.05.2019 respectively, subject to the following conditions:-

(a) programme I.e., Innisai Katcheri and Kovil Kodai Programme done in "Sri Akkinimadasamy Temple" at Pallamadai Village, Manoor Taluk, Tirunelveli District, scheduled to be held on 23.05.2019 and 24.05.2019 respectively, should be completed before 10.00 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.

S.RAMATHILAGAM, J.

TM

(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/-

Vacation Officer/
Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

MR/TM

To

- 1.The Superintendent of Police, Tirunelveli District, Tirunelveli.
- 2.The Inspector of Police, Manoor Police Station, Tirunelveli District.

+1CC TO MR.P.MUTHUPANDI, Advocate Sr. No. 66153

W.P. (MD) No.12220 of 2019

SCR(CO)

TR (23.05.2019) 3P 4C