



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.05.2019

CORAM

THE HONOURABLE MRS.JUSTICE S.RAMATHILAGAM

W.P. (MD) No.12272 of 2019

WEB COPY

Ganesan

... Petitioner

Vs.

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

2.The Inspector of Police,
Ottapidaram Police Station,
Thoothukudi 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 and protection for conduct Kodai Vizha scheduled to be held from 03.06.2019 to 06.06.2019 in Arulmigu Kanthariamman Temple situated at K.Shanmugapuram Village, Ottapidaram Taluk, Thoothukudi District, based on the petitioner's representation, dated 14.05.2019.

For Petitioner : Mr.T.Chandrasekaran

For Respondents : M/s.M.Anantha Devi

Government Advocate (Crl. Side)

O R D E R

This Writ Petition has been filed seeking a direction to the respondents to grant permission to the petitioner for conducting the 'Kodai Vizha' scheduled to be held from 03.06.2019 to 06.06.2019 at Arulmigu Kanthariamman Temple situated at K.Shanmugapuram Village, Ottapidaram Taluk, Thoothukudi District, by considering petitioner's representation dated 14.05.2019.

2. The village people want to conduct Kodai Vizha of Arulmigu Kanthariamman Temple situated at K.Shanmugapuram Village, Ottapidaram Taluk, Thoothukudi District.

3.Considering the facts and circumstances of the case, this Court grants permission to conduct 'Kodai Vizha' from 03.06.2019 to 06.06.2019. The second respondent / The Inspector of Police, Ottapidaram Police Station, Thoothukudi District., is directed to consider the representation of the petitioner, dated 14.05.2019 and to give permission and to provide police protection for conducting 'Kodai Vizha' of Arulmigu Kanthariamman Temple situated at K.Shanmugapuram Village, Ottapidaram Taluk, Thoothukudi District, scheduled to be held from 03.06.2019 to 06.06.2019, subject to the following conditions:-

<https://hcservices.ecourts.gov.in/hcservices/>

(a) Kodai Vizha of Arulmigu Kanthariamman Temple situated at K.Shanmugapuram Village, Ottapidaram Taluk, Thoothukudi



District scheduled to be held on 03.06.2019 to 06.06.2019, should be completed before 10.00 p.m.

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

(c) 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

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

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

4. 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.

5. The petitioner shall give an undertaking that he will take responsibility for the peaceful conduct of the Kodai Vizha and no law and order problem will arise.

6. In case the order copy is not received by the concerned respondents, the Government Advocate(Crl.side) is directed to communicate the operative portion of the order and conditions imposed in this order to them.

7. Accordingly, this Writ Petition is disposed of. No costs.

Sd/-
Vacation Officer

/TRUE COPY/

Sub Assistant Registrar(CS)

To

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

2.The Inspector of Police, Ottapidaram Police Station, Thoothukudi District.

+1 CC to M/s.T.CHANDRASEKARAN, Advocate (SR-66219[F] dated 23/05/2019)

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