



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.03.2019

CORAM

THE HONOURABLE MR. JUSTICE N. SESHASAYEE**W.P. (MD) No. 6174 of 2019**

Murugesan

... Petitioner

Vs.

1. The District Collector,
Thirunelveli District.

2. The Revenue Divisional Officer,
Revenue Divisional Officer,
Cheranmahadevi,
Tirunelveli District.

3. The Tahsildar,
Taluk Office,
Cheranmahadevi Taluk,
Thirunelveli District.

4. The Assistant Superintendent of Police,
Cheranmahadevi,
Thirunelveli District.

5. The Inspector of Police,
Veravanallur Police Station,
Thirunelveli District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the respondent to grant permission to the petitioner for conduct the 'Anna Thanam' scheduled to be held on 17.03.2019 at 11.00 a.m in connection with 'Maha Kumbabishegam' of Arulmigu Sri Karuppa swamy and Parivara Moorthygal Temple at Pudukudi Village, Karukurichi Post, Thirunelveli District by considering petitioner's representation dated 11.03.2019.

For Petitioner : Mr.S.Sathya Chidambaram

For Respondents : Mrs.S.Bharathi

Government Advocate

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 'Anna Thanam' scheduled to be held on 17.03.2019 at 11.00 a.m in connection with 'Maha Kumbabishegam' of Arulmigu Sri Karuppa swamy and Parivara Moorthygal Temple at Pudukudi Village, Karukurichi Post, Thirunelveli District by considering petitioner's representation dated 11.03.2019.

2. The petitioner herein wants to distribute Annathanam during the 'Maha Kumbabishegam' of Arulmigu Sri Karuppa swamy and Parivara Moorthygal Temple at Pudukudi Village, Karukurichi Post, Thirunelveli District and also to conduct the 'Anna Thanam'. So far

as the distributing Annathanam is concerned, that is part of public charity and therefore, the petitioner has the right to distribute Annathanam.

3. Considering the facts and circumstances of the case, this Court grants permission to conduct 'Anna Thanam' on 17.03.2019. The fifth respondent / The Inspector of Police, Veravanallur Police Station, Thirunelveli District., is directed to consider the representation of the petitioner, dated 11.03.2019 and to give permission and to provide police protection for conducting 'Anna Thanam' during the 'Maha Kumbabishegam' of Arulmigu Sri Karuppa swamy and Parivara Moorthygal Temple at Pudukudi Village, Karukurichi Post, Thirunelveli District scheduled to be held on 17.03.2019, subject to the following conditions:-

(a) Anna Thanam in 'Maha Kumbabishegam' of Arulmigu Sri Karuppa swamy and Parivara Moorthygal Temple at Pudukudi Village, Karukurichi Post, Thirunelveli District scheduled to be held on 17.03.2019, should be completed before 10.00 p.m.

(b) No donation shall be received from any political party or in the name of any Member associated with any political party.

(c) No speeches supporting or opposing any political party shall be made. No symbol of any political party or picture of any person affiliated in the political party shall be used.

(d) The function will be conducted in the spirit of function and there will not be any bogey for political combine for the general election, 2019.

(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.



4. It is open to the fifth 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 Anna Thanam 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/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS)

CM

To,

1.The District Collector,Thirunelveli District.

2.The Revenue Divisional Officer,Revenue Divisional Officer,Cheranmahadevi,Tirunelveli District.

3.The Tahsildar,Taluk Office,Cheranmahadevi Taluk, Thirunelveli District.

4.The Assistant Superintendent of Police,Cheranmahadevi, Thirunelveli District.

5.The Inspector of Police,Veravanallur Police Station, Thirunelveli District.

Copy to:

Mrs.S.Bharathi,

Govt.Advocate, Madurai Bench Of Madras High Court, Madurai.

1 CC to M/s.S.SATHYA CHIDAMBARAM, Advocate (SR-54390[F])

Order made in

W.P. (MD) No.6174 of 2019