



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2019

CORAM

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P. (MD) No.9936 of 2019

S.Subramanian

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Alangulam Circle, Alangulam,
Tirunelveli District.

3.The Inspector of Police,
Surandai Police Station,
Surandai, Tirunelveli District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the respondents to grant permission to conduct cultural events from 30.04.2019 to 09.05.2019 at Sri Alagu Parvathi Amman Temple, Surandai, Veeralakeralamputhur Taluk, Tirunelveli District and to give police protection during the festival sessions by considering the petitioner's representation dated 16.04.2019.

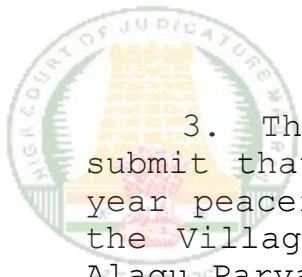
For Petitioner : Mr.M.Saravana Kumar

For Respondents : Mrs.S.Bharathi
Government Advocate

ORDER

This writ petition has been filed to grant permission and protection for conducting cultural events from 30.04.2019 to 09.05.2019 at Sri Alagu Parvathi Amman Temple, Surandai, Veeralakeralamputhur Taluk, Tirunelveli District and to give police protection during the festival sessions by considering the petitioner's representation dated 16.04.2019.

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



3. The learned counsel appearing 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 the cultural events at Sri Alagu Parvathi Amman Temple, Surandai, Veeralakeralamputhur Taluk, Tirunelveli District from 30.04.2019 to 09.05.2019 in connection with Chiththirai Therottam festival. In this regard, the petitioner gave representation to the respondents on 16.04.2019. 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. She 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 the cultural events **at Sri Alagu Parvathi Amman Temple, Surandai, Veeralakeralamputhur Taluk, Tirunelveli District from 30.04.2019 to 09.05.2019** in connection with Chiththirai Therottam festival and the Writ Petition is disposed of with the following directions:

*The third respondent / Inspector of Police, Surandai Police Station, Tirunelveli District, is directed to consider the representation of the petitioner, dated 16.04.2019 and to give permission and to provide police protection for the cultural events, **scheduled to be held from 30.04.2019 to 09.05.2019, before 12.00 p.m., at Sri Alagu Parvathi Amman Temple, Surandai, Veeralakeralamputhur Taluk, Tirunelveli District**, subject to the following conditions:-*

(a) programme i.e., **cultural events**, done in **at Sri Alagu Parvathi Amman Temple, Surandai, Veeralakeralamputhur Taluk, Tirunelveli District**, scheduled to be held from **30.04.2019 to 09.05.2019**, 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 donation shall be received from 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

(l) Similarly, the police is directed to stop the 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 third 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)

vs

To

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

2. The Deputy Superintendent of Police,
Alangulam Circle, Alangulam,
Tirunelveli District.

3. The Inspector of Police,
Surandai Police Station,
Surandai, Tirunelveli District.

+1 CC to M/s. M. SARAVANA KUMAR, Advocate
(SR-62631[F] dated 25/04/2019)

W.P. (MD) No. 9936 of 2019