



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.09.2019

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P. (MD) No.19187 of 2019

Pattani

... Petitioner

Vs.

- 1.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
- 2.The Deputy Superintendent of Police,
Tiruchendur, Thoothukudi District.
- 3.The Inspector of Police
Arumuganeri Police Station
Thoothukudi District.

... Respondents

Prayer: Writ Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus, directing the respondents to grant permission and protection for conducting Kodai Vizha scheduled to be held on 16.09.2019 to 18.09.2019 in Arulmigu Sri Mutharamman Thirukovil at Sethuraja Street, Kayalpattinam Village, Tiruchendur Taluk, Thoothukudi District, based on the petitioner's representation dated 26.08.2019.

For Petitioner : Mr.S.Selvakumar

For Respondents : Mr.R.Anandharaj

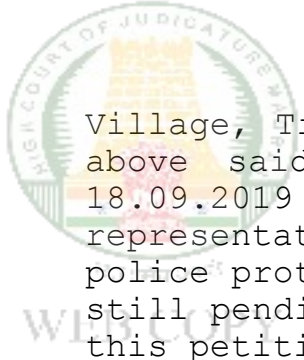
Additional Public Prosecutor

O R D E R

The prayer in this writ petition is to direct the respondents to grant permission and protection for conducting Kodai Vizha scheduled to be held on 16.09.2019 to 18.09.2019 in Arulmigu Sri Mutharamman Thirukovil at Sethuraja Street, Kayalpattinam Village, Tiruchendur Taluk, Thoothukudi District, based on the petitioner's representation dated 26.08.2019.

2.Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondents.

<https://hcservices.courtservice.in/hcservices/>
3.The learned counsel appearing for the petitioner submitted that "Kodai Vizha" festival is conducted in every year at Arulmigu Sri Mutharamman Thirukovil at Sethuraja Street, Kayalpattinam



Village, Tiruchendur Taluk, Thoothukudi District. In this year the above said festival is scheduled to be held on 16.09.2019 to 18.09.2019 and for conducting the same, the petitioner filed a representation before the second respondent seeking permission and police protection. However, the representation of the petitioner is still pending before the respondents and hence, the petitioner filed this petition seeking the aforesaid relief.

4.The learned Additional Public Prosecutor appearing for the respondents submitted that the representation of the petitioner is pending for consideration on the file of the second respondent.

5.Considering the facts and circumstances of the case, this Court directs the second respondent to consider the representation of the petitioner and give permission and protection for the "Kodai Vizha", which is scheduled to be conducted on 16.09.2019 to 18.09.2019 in Arulmigu Sri Mutharamman Thirukovil at Sethuraja Street, Kayalpattinam Village, Tiruchendur Taluk, Thoothukudi District by imposing the following conditions:

a)The event shall be conducted in an organised and peaceful manner without causing law and order problem.

b)If there is any violation of the above said conditions, the second respondent or the duly authorised officer is entitled to take necessary action as per law and stop such performance.

c)In case if there is any discrepancy with regard to the date on which the program is to be conducted, it would be open to the respondent police to extend protection on some other day after giving due notice to the petitioner.

d)The petitioner as well as the organizers shall co-operate with the second respondent for conducting "Kodai Vizha".

6.It is open to the second respondent police to impose 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. Accordingly, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (P AND A)

// True Copy //

Sub Assistant Registrar(CS)



To

- 1.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
- 2.The Deputy Superintendent of Police,
Tiruchendur, Thoothukudi District.
- 3.The Inspector of Police
Arumuganeri Police Station
Thoothukudi District.

+1 CC to M/s.S. SELVAKUMAR, Advocate (SR-85113[F] dated
04/09/2019)

W.P. (MD) No.19187 of 2019
04.09.2019

KK/SAR/10.09.2019/3P-5C/