



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 30.09.2019

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P (MD).No. 21013 of 2019

S.Iyvendiran

.. Petitioner

Vs.

1. The Superintendent of Police
Tirunelveli District
Tirunelveli

2. The Inspector of Police
Sendharamaram Police Station
Tirunelveli District

..Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus ,directing the respondents to grant permission for conducting Orchestra Program on 08-10-2019 between 10 pm to 1 am at Sri Muppudathi Amman Temple festival in Chinnathambi Nadaroor Village, Tirunelveli District based on the petitioners representation dated 17.09.19

For Petitioner : Mr.S.Kumar

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 for conducting Orchestra Program on 08-10-2019 between 8.00 a.m to 11.00 p.m at Sri Muppudathi Amman Temple festival in Chinnathambi Nadaroor Village, Tirunelveli District based on the petitioners representation dated 17.09.19

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

3.In an identical matter, a Division Bench of this Court in an order passed in ***W.P. (MD) No.8975 of 2017 dated 10.05.2017 [M.Sakthi Vs. State rep. by the Inspector of Police, Odapatti Police Station, Odapatti, Theni District]***, had granted permission to the petitioner to conduct cultural programme on certain conditions. The said conditions read as follows:



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

b)There shall not be any obscene or vulgar scenes during the dance performance by any one of the participants or others.

c)The Orchestra Program shall be restricted between 8.00 a.m. and 11.00 p.m.

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

e)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"

4. This Court is of the view that similar conditions may also be imposed in the present writ petition. Consequently, the Writ Petition Stands allowed. The second respondent is directed to grant permission to the writ petitioner to Orchestra Program on 08-10-2019 between 8.00 a.m to 11.00p.m at Sri Muppudathi Amman Temple festival in Chinnathambi Nadaroor Village, Tirunelveli District subject to the aforesaid conditions. There shall be no order as to costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

Sub Assistant Registrar

To

1. The Superintendent of Police
Tirunelveli District
Tirunelveli.

2. The Inspector of Police
Sendharamaram Police Station
Tirunelveli District.

+1 CC to M/s.S.KUMAR, Advocate (SR-90409[F] dated 30/09/2019

W.P (MD).No.21013 of 2019
30.09.2019

AAV

KK/01.10.2019/2P.4C