



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.09.2019

CORAM

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

W.P (MD).No. 21016 of 2019

WEB COPY

S.Senthurpandi

.. Petitioner

Vs.

The Inspector of Police
Kadayanallur Police Station
Tirunelveli District

.....Respondent

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus, directing the respondent to consider the petitioner representation dated 19.9.2019 and 24.9.2019 to grant permission to conduct the Innisai Kachery (Pattu Kachery) programmes on 06.10.2019 at 9.30pm to 01.00am for Arulmigu Krishna Swamy Thirukovil at Mela Kadayanallur, Kadayanallur, Tirunelveli District.

For Petitioner : Mr.P.T.Thiraviam

For Respondent : Mr.R.Anandharaj

Additional Public Prosecutor

O R D E R

The prayer in this writ petition is to direct the respondent to consider the petitioner representation dated 19.9.2019 and 24.9.2019 to grant permission to conduct the Innisai Kachery (Pattu Kachery) programmes on 06.10.2019 at 8.00 a.m to 11.00p.m at Arulmigu Krishna Swamy Thirukovil at Mela Kadayanallur, Kadayanallur, Tirunelveli District.

2.Heard the learned counsel for the petitioner.

3. The learned Additional Public Prosecutor appearing on behalf of the respondent would submit that during the last year for the very same temple the respondent permitted to conducted Innisai Kachery(Pattu Kachery) in which some of the persons violated the conditions imposed by the respondent. Therefore a case has been registered in Crime No.299 of 2018 for the offences under Section 188,290 of IPC and Section 3 of Tamil Nadu Town Nuisance Act, 188.

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 Innisai Kachery(Pattu Kachery) 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 respondent is directed to grant permission to the writ petitioner to conduct Innisai Kachery (Pattu Kachery) programmes on 06.10.2019 at 8.00 am to 11.00 pm for Arulmigu Krishna Swamy Thirukovil at Mela Kadayanallur, Kadayanallur, Tirunelveli District subject to the aforesaid conditions. There shall be no order as to costs.

5. Further the petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five thousand) with the respondent as security deposit.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar

To

The Inspector of Police
Kadayanallur Police Station
Tirunelveli District

+1 CC to M/s.P.T. THIRAVIAM, Advocate (SR-90420[F] dated 30/09/2019

W.P (MD).No.21016 of 2019
30.09.2019

AAV

MS/01.10.2019/2P.3C

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