



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **31.10.2019**

CORAM

WEB COPY

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

W.P. (MD) No. 22952 of 2019

Narayanan

... Petitioner

Vs.

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

2. The Inspector of Police,
Puliyangudi 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 and protection for cultural event namely Innisai Katcheri scheduled to be held on 03.11.2019 at evening 06.00 to 12.00 a.m. in connection with the ''Kantha Sasti Festival'' in Arulmigu Sri Balasubramaniyar Temple at Ayeekudi Village, Kadayanallur Taluk, Tirunelveli District base on the petitioner's representation, dated 11.10.2019.

For Petitioner : Mr.S.Muniyandi
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 cultural event namely Innisai Katcheri scheduled to be held on 03.11.2019 at evening 06.00 to 12.00 a.m. in connection with the ''Kantha Sasti Festival'' in Arulmigu Sri Balasubramaniyar Temple at Ayeekudi Village, Kadayanallur Taluk, Tirunelveli District base on the petitioner's representation, dated 11.10.2019.

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 Innisai katcheri shall be restricted between 6.00 p.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 ;

f) further the petitioner shall deposit a sum of Rs.25,000/- to the credit of the second respondent and also file a undertaking affidavit. If any untoward things happen, the petitioner shall forfeit the deposit amount as well as the second respondent to initiate appropriate action.''

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 petitioner to conduct cultural event namely Innisai Katcheri in connection with ''Kantha Sasti Festival'' scheduled to be held on 03.11.2019 from 06.00 p.m to 11.00 p.m. situated at Arulmigu Sri Balasubramaniyar Temple at Ayeekudi Village, Kadayanallur Taluk, Tirunelveli District subject to the aforesaid conditions. There shall be no order as to costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar (CS)

vsd

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



To

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

2. The Inspector of Police,
Puliyangudi Police Station,
Tirunelveli District.

+1CC TO MR.S.MUNIYANDI, Advocate Sr. No. 95418

W.P. (MD) No. 22952 of 2019

DB (CO)

KK (01.11.2019) 3P 4C