

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2015

CORAM

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

W.P.NO.10631 OF 2015

K.Gopal

.. Petitioner

Versus

The Inspector of Police
Anthiyur Police Station
Anthiyur Taluk,
Erode District.

... Respondent

PRAYER: Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent herein to grant permission to the petitioner to conduct dance and cultural programmes on 16.04.2015 at Sri Selliaandi Amman Kovil, Ottapalayam Village, Sembulicham Palayam Post, Anthiyur Taluk, Erode District.

For Petitioner : Mr.T.Jeevanantham

For Respondent : Mr.Roofus Abraham
Government Advocate

O R D E R

Heard both sides. By consent, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner is a permanent resident of Ottapalayam Village, Sembulicham Palayam, Anthiyur Taluk, Erode District. The village used to conduct cultural programmes during festival seasons. The famous Temple namely Sri Selliaandi Amman Kovil is situated in the village. The villagers are regularly conducting temple festival in the month of Chithirai in a grand manner. In the usual course, the villagers planned to conduct Thiruvizha on 16.04.2015.

3.The petitioner made a representation dated 08.04.2015 to the respondent, on behalf of the villagers, seeking to grant permission for conducting the dance and cultural programmes on 16.04.2015. However, the respondent had informed the petitioner that unless there is an order of this Court, they will not grant permission to conduct the dance and cultural programmes on 16.04.2015

at Sri Selliaandi Amman Kovil, Ottapalayam Village, Sembulicham Palayam Post, Anthiyur Taluk, Erode District.

4. Normally, if the villagers want to conduct festival and have a cultural and dance programme, the same cannot be denied by the Police Authority.

5. The learned Government Advocate for the respondent does not state that the conduct of the programme would cause danger to public order. He only states that the dance programme would be obscene. He submits that the villagers may be permitted to perform cultural programme other than dance programme. In my view, before dance is performed, one cannot say whether it is obscene or not.

6. Hence, I am of the view that the villagers can conduct both dance and cultural programmes in a decent manner and whenever there is obscenity, the respondent Police is at liberty to interfere with the same.

7. In the result, the writ petition is disposed of with a direction to the respondent to give permission to the petitioner to conduct cultural and dance programmes on 16.04.2015 at Sri Selliaandi Amman Kovil, Ottapalayam Village, Sembulicham Palayam Post, Anthiyur Taluk, Erode District. No Costs.

DS/TK

-s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

The Inspector of Police,
Anthiyur Police Station,
Anthiyur Taluk,
Erode District.

+ 1 cc to Mr.T.Jeevanantham, Advocate SR 20325

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