

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23-4-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.12086 of 2015

S.Kulandaivel

.. Petitioner

vs

The Inspector of Police  
Vennanthur Police Station  
Rasipuram Taluk  
Namakkal District

.. Respondent

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondent to grant permission to the petitioner to conduct the cultural programme organized by the Orphan Children from Thai Anbu Illam, Salem, on 25.4.2015, in the Sri Maduraiveeran Temple Festival, A.Ayipalayam, Athanur, Rasipuram Taluk, Namakkal District.

For Petitioner : Mr.S.Doraisamy  
For Respondent : Mr.R.A.S.Senthilvel  
Additional Government Pleader

ORDER

By consent, the writ petition itself is taken up for final disposal.

2.The petitioner claims that he is a resident of A.Ayipalayam, Athanur Post, Rasipuram Taluk and is also a Dharmakarthha and in his Village, there is an ancient temple called Sri Maduraiveeran Swamy Temple, and the Presiding Deity is worshiped by the villagers for so many decades. The petitioner would further state that during the temple festivals, there will be several programmes being conducted and one among them is a cultural programme, wherein, the children hailing from an Orphanage, used to participate and perform the events. The petitioner has submitted a representation dated 18.4.2015, to the respondent praying for permission to conduct such a programme and since no orders have been passed, came forward to file this writ petition.

3.The learned Counsel appearing for the petitioner, has drawn the attention of this Court to the temple festival invitation and would submit that as per the invitation, the children from an Orphanage will conduct a programme and no vulgarity or obscenity would be there and there will not be any law and order problem and hence, prays for appropriate orders

4.Per contra, Mr.R.A.S.Senthilvel, learned Additional Government Pleader, who accepts notice for the respondent, would submit that the particular function is being conducted by a Community outfit and therefore, the respondent is having a reasonable apprehension with regard to the law and order problem.

5.This Court has carefully considered the rival submissions and also perused the materials available on record.

6.In the light of the undertaking given by the petitioner through his Counsel, that there will not be any law and order problem, vulgarity and obscenity and further that the particular programme is going to be performed by the children of an Orphanage, this Court is of the view that there cannot be any impediment on the part of the respondent to grant permission to the petitioner to conduct the said programme subject to reasonable conditions.

7.In the result, the writ petition is disposed of and the respondent is permitted to consider the representation/application dated 25.4.2015, submitted by the petitioner, in accordance with law, in the light of the observations made by this Court, and pass orders on or before 27.4.2015, and communicate the decision to the petitioner. No costs.

nsv

-s/d-

Assistant Registrar (AS)

True Copy

Sub-Assistant Registrar

To:

The Inspector of Police  
Vennanthur Police Station  
Rasipuram Taluk  
Namakkal District

+ 1 cc to the Govt.Pleader SR 22510

+ 1 cc to Mr.S.Doraisamy, Advocate SR 22379

mms(co)  
prk24/4

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