

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.04.2015

CORAM

The Hon'ble Mr.Justice M.Sathyannarayanan

W.P.No.12863 of 2015

B.Nandakumar

... Petitioner

vs.

1. Superintendent of Police,
Vellore District, Vellore.

2. The Inspector of Police,
Jolarpettai Police Station,
Vellore District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking for a Writ of Mandamus, directing the respondents to give permission to the Organizing Committee, headed by the petitioner to conduct cultural dance program "Naatiyalayaa", in Sri Marriamman Kovil Festival on 23.05.2015, at Vakkanampatti, Jolarpettai, Thirupathur Taluk, Vellore District.

For Petitioner : Mr.S.B.Viswanathan

For Respondents : Mr.M.Digvijaypandian
Additional Government Pleader

O R D E R

By consent, the Writ Petition is taken up for final disposal.

2. The prayer in the Petition is for issuance of Writ, in the nature of Mandamus, directing the respondents to grant permission to the Organizing Committee, headed by the petitioner to conduct cultural dance program "Naatiyalayaa", in Sri Marriamman Kovil Festival, scheduled to be held on 23.05.2015, at Vakkanampatti, Jolarpettai, Thirupathur Taluk, Vellore District.

3. The petitioner claims that he is the head of the Organizing Committee, formed to conduct three days festival in Sri Marriamman Kovil situate at Vakkanampatti, Jolarpettai, Thirupathur Taluk,

Vellore District, between 21.05.2015 and 23.05.2015, and in this regard, the petitioner submitted an application to the second respondent, on 15.04.2015 and since he has not been favoured with any response, he has come forward with this Writ Petition.

4. Mr.S.B.Viswanathan, the learned counsel appearing for the petitioner has invited the attention of this Court to the affidavit and contended that the petitioner, being head of the Organizing Committee, undertakes to conduct the said program without any law and order problem and further undertakes that there will not be any obscenity or vulgarity in the Cultural/Dance program and hopes that there is no impediment on the part of the second respondent in permitting the petitioner to conduct the aforesaid programme. The learned counsel for the petitioner has also invited attention of this Court to the order, dated 29.05.2014, passed by this Court in W.P.No.14108 of 2014, wherein, in respect of same Temple festival held during the year, 2014, this Court imposed the following conditions:-

"1. The dance programme should be conducted between 7.00 p.m. to 10.30 p.m. only.

2. Mikes with horn should not be used in the programme as that would cause disturbance to the students who are undertaking examinations.

3. Any dance or song in an obscene manner with double meaning conversations of any kind should never be permitted.

4. The programme should be conducted in a peaceful and organised manner without creating or causing any law and order problems.

5. If there is any difficulty in conducting the dance programme on certain objections being raised, it is for the concerned police officer to take a decision. "

5. Heard the submissions of Mr.M.Digvijaypandian, learned Additional Government Pleader, who accepts notice for the respondents.

6. This Court, without going into the merits of the representation/petition made by the petitioner, directs the second respondent to consider the representation/petition, dated 15.04.2014, in accordance with law and pass orders on or before 15.05.2015, and communicate the decision to the petitioner.

6. This Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

sd/ds

To

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

2. The Inspector of Police,
Jolarpettai Police Station,
Vellore District.

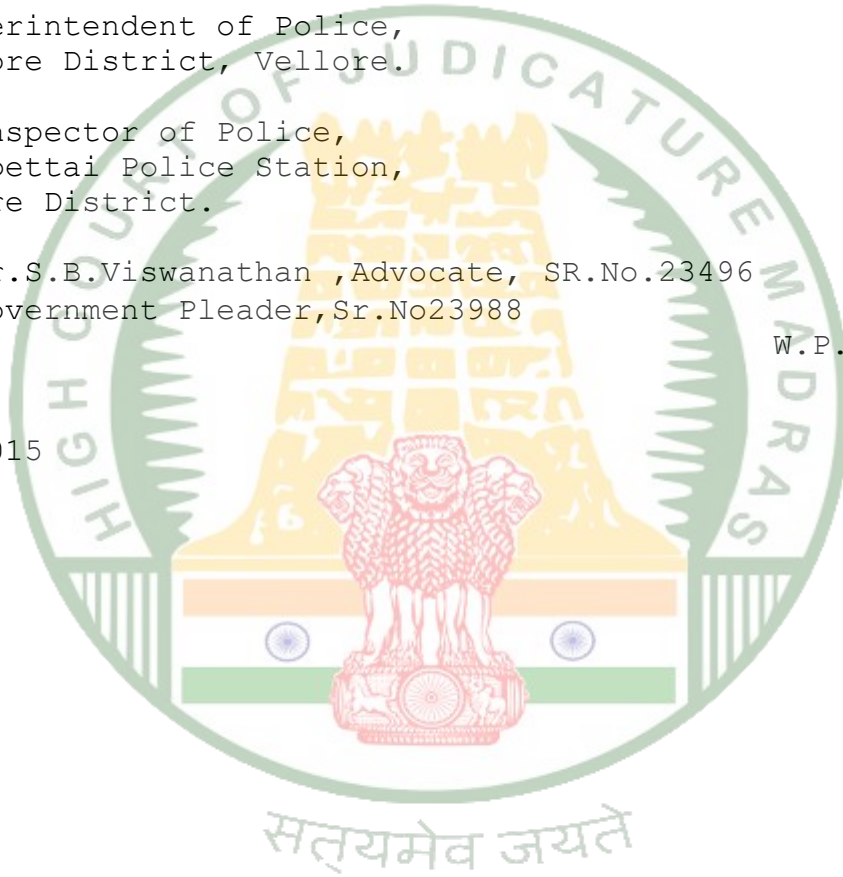
1 cc to Mr.S.B.Viswanathan ,Advocate, SR.No.23496

1 cc to Government Pleader,Sr.No23988

W.P.No.12863 of 2015

ssi(co)

pmk.6.5.2015



WEB COPY