

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.05.2015

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THE HONOURABLE DR.JUSTICE S.TAMILVANAN

W.P.No.14213 of 2015

C.Kuppusamy

... Petitioner

vs.

1. The Deputy Superintendent of Police,
Office of Deputy Superintendent of Police,
Dharapuram.

2. Inspector of Police,
Mulanur Police Station,
Mulanur, Dharapuram Taluk,
Tiruppur District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of mandamus, directing the respondents to consider the petitioner's representation dated 01.05.2015 requesting to grant permission to conduct cultural programme on 13.05.2015.

For Petitioner : Mr.N.Ponraj

For Respondents : Mr.T.N.Rajagopalan,
Special Government Pleader

O R D E R

This writ petition has been filed under Article 226 of the Constitution of India, seeking an order in the nature of Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 01.05.2015 requesting to grant permission to conduct cultural programme on 13.05.2015.

2.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

3.Learned counsel for the petitioner would submit that the petitioner is the President of the Temple Festival Committee of Sri Kannimar Amman Temple and every year temple festival is being conducted by the villagers and this year also, the villagers jointly decided to conduct the village temple festival, with 'cultural

programme' from 12.05.2015 to 14.05.2015. In this connection, a representation was given on 02.05.2015 to the first respondent, with a request to grant permission to conduct Cultural Programme on 13.05.2015, however no order was passed by the first respondent on the said representation and hence the petitioner is before this Court with this writ petition. The learned counsel for the petitioner further submitted that as the temple festival is celebrated in a peaceful manner by the villagers, there will be no untoward incident by the people of the village.

4.Mr.T.N.Rajagopalan, learned Special Government Pleader appearing for the respondents, on instructions, would submit that the permission sought for by the petitioner may be granted with stringent conditions for maintaining law and order and also to avoid any untoward incident during performance of such programme.

5.Having considered the facts and circumstances and the submissions made by the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents, this Court is of the view that necessary permission shall be granted to the petitioner and his villagers to conduct 'cultural programme' in connection with Sri Kannimar Amman Temple Festival, on 13.05.2015 between 6.00 p.m. and 10.30 p.m., however, with the following conditions:-

(a) The petitioner has stated that he is the President of the Temple Festival Committee of Sri Kannimar Amman Temple, however, the second respondent is directed to verify the said factum.

(b)The cultural programme in connection with Sri Kannimar Amman Temple Festival, be held on 13.05.2015 between 6.00 p.m. and 10.30 p.m.

(c)There should not be any kind of obscene dance or vulgar dialogues during the performance, by anyone of the participants;

(d)Double meaning songs should not be played so as to spoil the minds of students and youths.

(e)No dance or songs, touching upon any political party or religion or community or caste be played.

(f)No flex boards in support of any political party or communal leader be erected.

(g)The function should not affect either religious or communal harmony and shall be conducted without any discrimination based on caste.

(h) If there is any violation of any one of the conditions imposed, the police officer concerned is at liberty to take necessary action, as per law and stop such performance; and

(i) Similarly, the police is entitled to stop the dance programme, if it exceeds beyond the permitted time.

(j) The second respondent is directed to issue necessary permission, incorporating the above conditions.

Accordingly, the writ petition is disposed of. No order as to costs.

mmi

-s/d-
Deputy Registrar(J)

True Copy

Sub-Assistant Registrar

To

1. The Deputy Superintendent of Police,
Office of Deputy Superintendent of Police,
Dharapuram.
2. The Inspector of Police,
Mulanur Police Station,
Mulanur, Dharapuram Taluk,
Tiruppur District.

+ 1 cc to Mr.N.Ponraj Advocate SR 24999

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