

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.05.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.14650 of 2015

S.P.Ganesan

... Petitioner

vs.

The Sub Inspector of Police
Namakkal Police Station
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 authority to give permission to conduct the cultural dance programme at Sivanayakanpatti Mariamman Temple Thiruvila, Namakkal District on 21.05.2015 based on the petitioner's representation dated 09.05.2015.

For Petitioner : Mr.G.P.Murugaian

For Respondent : Mr.Dig Vijaya Pandian
Additional Government Pleader

ORDER

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 respondent authority to give permission to

conduct the cultural dance programme at Sivanayakanpatti Mariamman Temple Thiruvila, Namakkal District on 21.05.2015 based on the petitioner's representation dated 09.05.2015.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondent.

3. Learned counsel for the petitioner would submit that the petitioner is the head of the organizing committee and every year Sivanayakanpatti Mariamman Temple festival is being conducted by the villagers and this year also, the villagers jointly decided to conduct the village temple festival, with 'cultural dance programme' on 21.05.2015. In this connection, a representation was given on 09.05.2015 to the respondent, with a request to grant permission to conduct Dance Programme on 21.05.2015, however, the respondent not permitted to conduct the dance program. 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. Hence, this writ petition is filed seeking the

aforesaid relief.

4. Mr.Dig Vijay Pandian, learned Additional Government Pleader appearing for the respondent, 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 respondent, this Court is of the view that necessary permission shall be granted to the petitioner and his villagers to conduct 'cultural dance programme' in connection with Sivanayakanpatti Mariamman Temple Thiruvila, on 21.05.2015 between 6.00 p.m. and 10.30 p.m., however, with the following conditions:-

(a) The petitioner has stated that he is the head of organizing committee of Sivanayakanpatti Mariamman Temple Thiruvila, Namakkal District, however, the respondent is directed to verify the said

factum. The petitioner is directed to give fresh representation along with the copy of this order on or before 20.05.2015.

(b)The cultural programme in connection with Sivanayakanpatti Mariamman Temple Thiruvila, be held on 21.05.2015 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 concerned police officer 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 respondent is directed to issue necessary permission, incorporating the above conditions.

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

14.05.2015

Index : yes/no

Internet : yes/no

Note : Issue order copy on 18.05.2015

Vj2/mra

To

The Sub Inspector of Police
Namakkal Police Station
Namakkal District.

R.SUBBIAH, J.

vj2/mra

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