

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.05.2015

CORAM :

THE HONOURABLE JUSTICE M. DURAISWAMY

W.P.No.14789 of 2015

D.Karthikeyan

...Petitioner

Vs.

The Inspector of Police,
Senthamangalam 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 to permit the petitioner to conduct the cultural and entertainment programme, folk dance at Sri Mariamman Temple, Muthukapatti Post, Namakkal District on 26.05.2015 based on the petitioner's representation dated 16.05.2015.

For Petitioner : Mr.N.Umapathi

For Respondent : Mr.R.Ravichandran
Additional Government Pleader

O R D E R

The petitioner has filed the above writ petition to issue Writ of mandamus, directing the respondent to permit the petitioner to conduct the cultural and entertainment programme, folk dance at Sri Mariamman Temple, Muthukapatti Post, Namakkal District on 26.05.2015 based on the petitioner's representation dated 16.05.2015.

2.The learned counsel for the petitioner would submit that every year Sri 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 26.05.2015. In this connection, a representation was given on 16.05.2015 to the respondent, with a request to grant permission to conduct Dance programme on 26.05.2015, however, the respondent not permitted to conduct the dance programme. 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.

3.Mr.R.Ravichandran, learned Additional Government Pleader takes notice for the respondent and submitted that permission should not be granted to the petitioner to conduct the cultural programme.

4.However, this Court in W.P.No.14650 of 2015 dated 14.05.2015 granted permission to the petitioner to conduct the cultural programme imposing stringent conditions. Having regard to the submissions made by the learned counsel on either side, 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 the festival of Sri Mariamman Temple, Muthukapatti Post, Namakkal District on 26.05.2015 between 6.00 p.m. and 10.30 p.m., however with the following conditions:

(a)The cultural programme in connection with Sri Mariamman Temple, Muthukapatti Post, be held on 26.05.2015 between 6.00 p.m. and 10.30 p.m.

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

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

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

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

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

(g)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

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

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

Accordingly, the writ petition is disposed of. No costs.

Sd/-
Vacation Officer

//True Copy//

Sub Assistant Registrar

va/vsm

To

The Inspector of Police,
Senthamangalam Police Station,
Namakkal District.

1 CC to Mr.N.Umapathi, Advocate SR.No. 25299

1 CC to the Government Pleader, SR.No. 25342

W.P.No.14789 of 2015

SR (CO)
PSI (21.05.2015)

सत्यमेव जयते

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