

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.05.2015

CORAM :

THE HONOURABLE MR.JUSTICE V.DHANAPALAN

W.P.No.15314 of 2015

R.Sivaraman

... Petitioner

Vs

The Inspector of Police
Kariyakoil Police Station
Karumandurai Via Attur
Salem District.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondent to give permission to the petitioner to conduct a Cultural program schedule to be held on 29.05.2015 in Arulmigu Kariyaramar Temple ground at Kariyakoil Post Karumandurai Via Attur Salem District by considering the petitioner representation dated 25.05.2015.

For Petitioner : Mr.Karan

For Respondent : Mr.V.Jayaprakash Narayanan
Spl. Govt. Pleader

O R D E R

This writ petition has been filed for issue of a Writ of Mandamus directing the respondent authority to give permission to conduct the cultural dance programme at Arulmigu Kariyaramar Temple ground, Salem District, on 29.05.2015, based on petitioner's representation dated 25.05.2015.

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

3. Learned counsel for the petitioner would submit that the petitioner is the resident at Kariyakoil Post, Karumandurai Vali, Attur, Salem District and in their village, there is an ancient temple called Arulmigu Kariyaramar Temple, which has been worshipped by the villagers and the said Temple Festival is being conducted by the villagers every year and this year also, the villagers have jointly decided to conduct the Arulmigu Kariyaramar Temple Festival, and a cultural dance programme has been decided to be conducted on 29.05.2015. In this connection, a representation was given on 25.05.2015 to the respondent, with a request to grant permission to conduct the cultural dance programme on 29.05.2015. However, the respondent has not given permission 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.

4. Mr.V.Jayaprakash Narayanan, learned Special 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 Arulmigu Kariyaramar Temple Festival, Salem District, on 29.05.2015 between 6.00 p.m. and 10.30 p.m., however, with the following conditions:-

(a) The cultural programme in connection with Arulmigu Kariyaramar Temple Festival, Salem District, be held on 29.05.2015 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 order as to costs.

Sd/-

Deputy Registrar/Vocation Officer

//True Copy//

Sub Assistant Registrar

rg/nv

To

The Inspector of Police
Kariyakoil Police Station
Karumandurai Via Attur
Salem District.

+1cc to Mr.Karan, Advocate, S.R.No.25603

+1cc to the Government Pleader, S.R.No.25557

W.P.No.15314 of 2015

CNR(CO)
CA(03/06/2015)

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