

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.05.2015

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THE HONOURABLE MR.JUSTICE V.DHANAPALAN

W.P.No.15390 of 2015

R.Velmurugan

.. Petitioner

-vs-

The Sub Inspector of Police
Gangavalli Police Station
Salem District

... Respondent

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, calling for the records pertaining to the order dated 18.05.2015 passed by the respondent and quash the same and issue consequential direction directing the respondent to give permission to conduct a cultural program schedule to be held on 30.05.2015 by considering the petitioner's representation dated 18.05.2015.

For Petitioner:: Mr.V.Ravichandran

For Respondent:: Mr.V.Jayaprakash Narayanan
Special Government Pleader

ORDER

The petitioner seeks to quash the impugned order dated 18.05.2015 passed by the respondent refusing to grant permission to conduct the festival programme and consequently to direct the respondent to grant permission to conduct the festival programme (i.e.) 'Cultural Nadana Nigazhchi' on 30.05.2015 from 7.00 p.m. to 10.00 p.m. at Arulmigu Koodamalai Kalamman Thirukoil, Gangavalli Post, Salem District.

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 a resident of Koodamalai, Salem District, where Arulmigu Kalamman Temple situates 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 Nadana Nigazhchi' on 30.05.2015. In this connection, a representation was given on 18.05.2015 to the respondent with a request to grant permission to conduct the 'Cultural Nadana Nigazhchi' on 30.05.2015, however, the respondent passed the impugned

order refusing to grant permission to conduct 'Cultural Nadana Nigazhchi' 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.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 the 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, I am of the view that necessary permission shall be granted to the petitioner and his villagers to conduct the 'Cultural Nadana Nigazhchi' in connection with the annual festival of Arulmigu Koodamalai Kalamman Thirukoil, Gangavalli Post, Salem District, on 30.05.2015 between 7.00 p.m. and 10.00 p.m.

6. Accordingly, the writ petition is disposed of with the following directions:-

(a) The impugned order is set aside. The 'Cultural Nadana Nigazhchi' in connection with Arulmigu Koodamalai Kalamman Thirukoil, Gangavalli Post, Salem District, festival be held on 30.05.2015 between 7.00 p.m. and 10.00 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. Consequently, M.P.No.1 of 2015 is closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

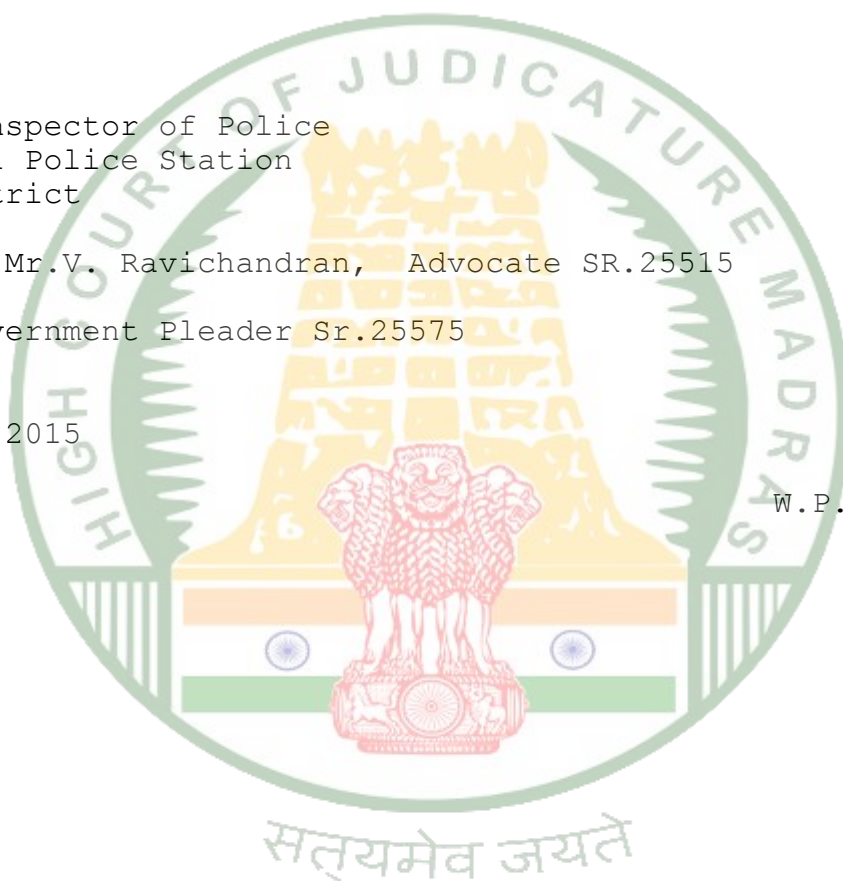
The Sub Inspector of Police
Gangavalli Police Station
Salem District

+ 1 cc to Mr.V. Ravichandran, Advocate SR.25515

+ 1 cc Government Pleader Sr.25575

UG(CO)
EU 04.06.2015

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