

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.08.2015

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH

W.P.No.24379 of 2015

S.Murugesan

.. Petitioner

Vs.

The Inspector of Police,
Erupulliguruchi Police Station,
Ariyalur District.

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for issuance a Writ of Mandamus to direct the respondent to give permission to the petitioner to conduct a cultural programme scheduled to be held on 14.08.2015 at Arulmighu Ayyanar Temple at Unjelli Post, Senthurai Taluk, Ariyalur District, by considering the petitioner's representation, dated 03.08.2015.

For Petitioner .. M/s.Karan and Uday

For Respondent .. Mr.S.Govindasamy, Addl.Govt.Pleader.

ORDER

Seeking permission to conduct a cultural programme on 14.08.2015 at Arulmighu Ayyanar Temple at Unjelli Post, Senthurai Taluk, Ariyalur District, the petitioner made a representation to the respondent on 03.08.2015 to the respondent. It is stated by the petitioner that the said representation has been orally rejected by the respondent, and hence, the present Writ Petition has been filed.

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

3. Learned Additional Government Pleader, on instructions, submitted that there is likelihood of law and order problem, if the permission as sought for by the petitioner is granted for conducting the said programme.

4. The abovesaid mere apprehension of law and order problem, cannot be a ground for refusal of the said representation seeking permission to conduct the said programme. There is absolutely no material before this Court to hold that there will be a law and order problem in the event of the permission being granted.

5. In such view of the matter, the Writ Petition is allowed and the petitioner is permitted to conduct the said cultural programme on 14.08.2015 at Arulmighu Ayyanar Temple at Unjelli Post, Senthurai Taluk, Ariyallur District, however, with the following conditions:-

(a) The said cultural programme in connection with the said Arulmighu Ayyanar Temple at Unjelli Post, Senthurai Taluk, Ariyallur District, be held on 14.08.2015 between 06.00 p.m and 10.30 p.m.

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

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

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

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

(f) The said programme 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 above conditions, the concerned Police Officer is at liberty to take necessary action as per law to stop such performance.

(h) Similarly, the Police is entitled to stop the dance programme, if it exceeds beyond the permitted time stipulated above, and

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

No costs.

cs

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
Erupulliguruchi Police Station,
Ariyalur District.

2. The Public Prosecutor, High Court, Madras.

+ 1 cc to M/s.Karan and Uday, Advocate SR 41450

+ 1 cc to Govt.Pleader SR 41629

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