

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.08.2015

CORAM

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

W.P.No.24436 of 2015

S.Bharathi

.. Petitioner

Vs.

The Inspector of Police,
C-2 Olakkur Police Station,
Olakkur, Tindivanam Circle,
Villupuram 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 grant permission and protection to conduct cultural program (Dance and Music Program) in Sri Mariamman Temple situated at Keel Adanur Village and Post, Tindivanam Taluk, Villupuram District, PIN 604 307, scheduled to be held on 11.08.2015 from 8 pm to 6 am.

For Petitioner .. Mr.S.Jaganathan

For Respondent .. Mr.M.Roofus Abraham, Govt. Advocate

ORDER

Seeking permission to conduct cultural programme (dance and music) on 11.08.2015 at Sri Mariamman Temple, situated at Keel Adanur Village and Post, Tindivanam Taluk, Villupuram District, PIN: 604 307, the petitioner made a representation on 05.08.2015 to the respondent. It is stated by the petitioner that the said representation has been orally refused, and hence, the present Writ Petition has been filed.

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

3. Learned Government Advocate, on instructions, submitted that there is likelihood of law and order problem.

4. The abovesaid mere apprehension of law and order problem, cannot be a ground for refusal of the 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 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 11.08.2015 at Sri Mariamman Temple, situated at Keel Adanur Village and Post, Tindivanam Taluk, Villupuram District, PIN: 604 307, however, with the following conditions:-

(a) The said cultural programme in connection with the said Sri Mariamman Temple, situated at Keel Adanur Village and Post, Tindivanam Taluk, Villupuram District, PIN: 604 307, be held on 11.08.2015 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 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 and 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.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

CS

To

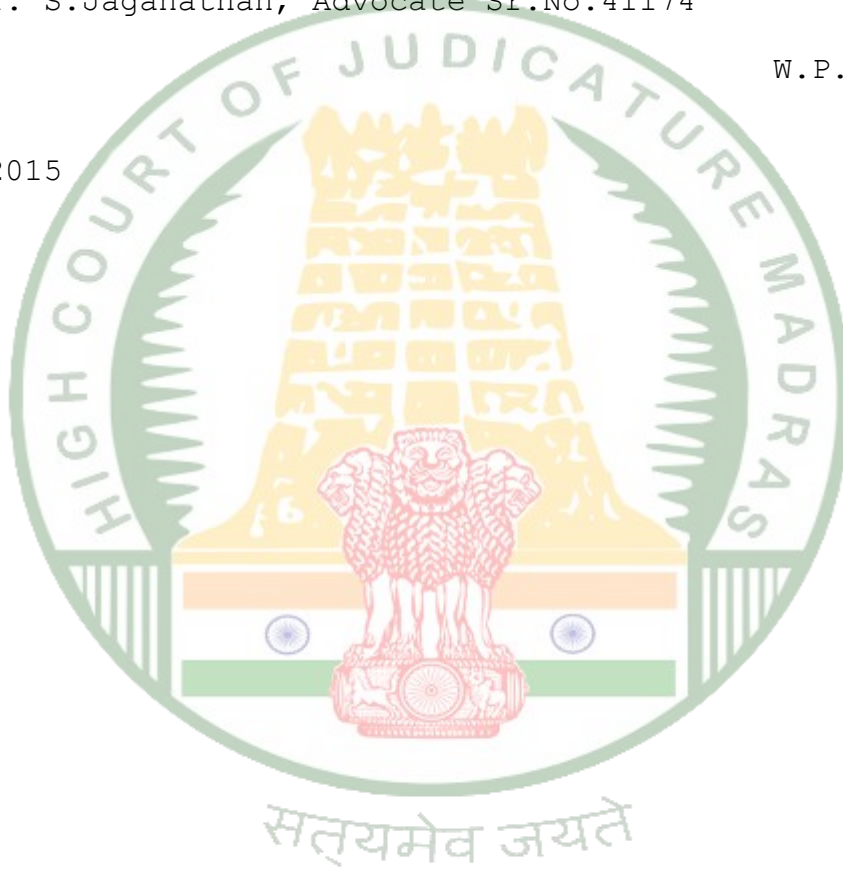
1. The Inspector of Police,
C-2 Olakkur Police Station,
Olakkur, Tindivanam Circle,
Villupuram District.

2. The Public Prosecutor, High Court, Madras.

1 cc to Mr. S.Jaganathan, Advocate Sr.No.41174

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pmk.10.8.2015



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