

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2015

CORAM

THE HON'BLE Mr. JUSTICE R.MAHADEVAN

W.P.No.26035 of 2015

K.P.Sankar

... Petitioner

Vs

The Inspector of Police
H-8 Thiruvotriyur Police Station
Thiruvotriyur Chennai-600 019.

... Respondent

Petition filed under Article 226 of The Constitution of India praying to issue a writ of certiorarified mandamus to call for the records relating to the impugned order passed by the respondent dated 14.08.2015 to quash the same with regard to the rejection of permission to conduct cultural program is concerned and consequently direct the respondent to grant permission to the petitioner to conduct the cultural programme which is scheduled to be held on 29.08.2015 at Arulmigu Sri Padavettamman Temple, situate at K.V.K.Kuppam, Thiruvotriyur, Chennai-600 019.

For Petitioner : Mr.C.Prabakaran

For Respondent : Mr.S.Navaneethan,
Additional Government Pleader

ORDER

Seeking permission to conduct dance programme on 29.08.2015 at Arulmigu Sri Padavettamman Temple, K.V.K.Kuppam, Thiruvotriyur, Chennai-600 019, the petitioner made a representation dated 13.08.2015 to the respondent. By the order impugned, the same was rejected on the sole ground it will lead to law and order problem. Challenging the same, 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 counsel for the petitioner would submit that there is likelihood of law and order problem cannot be a ground to reject the representation of the petitioner.

4. The only objection raised is that if permission is granted, it would likely to lead law and order problem. From the order passed by the respondent, there was no indication that law and order problem would arise. It is for the respondent to impose any condition to maintain law and order problem. It is not as if there was any prior untoward occurrence in the conduct of the programme.

5. Accordingly, the impugned order is set aside and the writ petition is allowed and the petitioner is permitted to conduct dance programme on 29.08.2015 at Arulmigu Sri Padavettamman Temple, K.V.K.Kuppam, Thiruvotriyur, Chennai-600 019, however, with the following conditions:-

(a) The cultural programme in connection with temple Festival at Arulmigu Sri Padavettamman Temple, K.V.K.Kuppam, Thiruvotriyur, Chennai-600 019, be held on 29.08.2015 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, 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) The cultural programme shall be conducted without damaging the actual culture of this land.

(h) If there is any violation of any one of the conditions imposed, the concerned police officer is at liberty to take necessary stringent action, as per law and stop such performance; and

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

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

No costs.

Sd/-
Assistant Registrar (CS V)

//True Copy//

Sub Assistant Registrar

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To

The Inspector of Police
H-8 Thiruvotriyur Police Station
Thiruvotriyur
Chennai-600 019.

+1cc to Mr.C,Prabhakaran, Advocate, S.R.No.44534
+1cc to the Government Pleader, S.R.No.44701

W.P.No.26035 of 2015

RJ (CO)
CA(25/08/2015)

सत्यमेव जयते

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