

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2015

CORAM

THE HON'BLE Mr. JUSTICE R.MAHADEVAN

W.P.No.26093 of 2015

K.Ravi

[Petitioner]

Vs

The State

Rep. by The Inspector of Police

Jolarpet Police Station

Jolarpet Vellore District.

[Respondent]

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus to direct the respondent to grant permission and protection to conduct cultural program (Dance & Music Program) in the Mariamman Temple situated at Ottapatti Village Achamangalam Post Natrampalli Taluk Vellore District scheduled to be held on 28.08.2015 from 7.00 p.m. to 10.00 p.m.

For Petitioner ... Mr.S.Deivasigamani

For Respondent ... Mr.S.Roofas Abraham, GA

ORDER

Seeking permission to conduct dance programme on 28.08.2015 at Mariamman Temple, Ottapatti Village, Achamangalam Post, Natrampalli Taluk, Vellore District, the petitioner made a representation dated 18.08.2015 to the respondent. As the same has not been considered, 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, would submit that there is likelihood of law and order problem.

4.A mere apprehension cannot be a ground to reject the representation. 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. In such view of the matter, the writ petition is allowed and the petitioner is permitted to conduct cultural programme on 28.08.2015 at Mariamman Temple, Ottapatti Village, Achamangalam Post, Natrampalli Taluk, Vellore District, however, with the following conditions:-

(a) The cultural programme in connection with temple Festival at Mariamman Temple, Ottapatti Village, Achamangalam Post, Natrampalli Taluk, Vellore District, be held on 28.08.2015 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.

सत्यमेव जयते

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

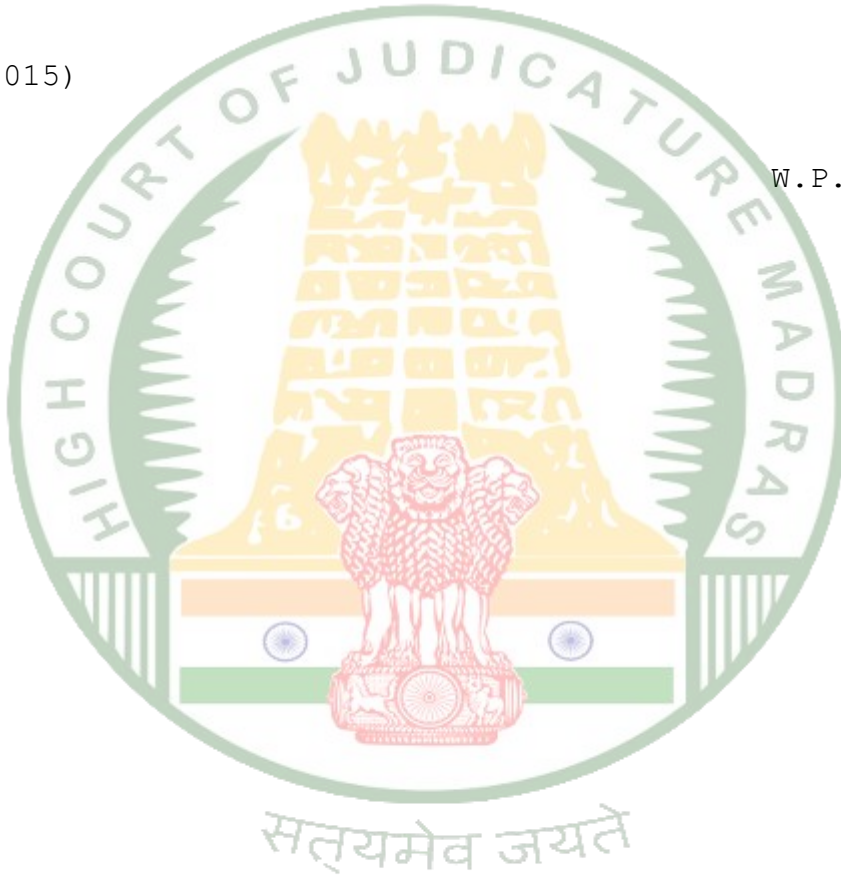
The Inspector of Police
Jolarpet Police Station
Jolarpet Vellore District.

+1cc to Mr.S. Deivasigamani, Advocate, S.R.No.44499

+1cc to the Government Pleader, S.R.No.44725

TEJ(CO)
EU(25/08/2015)

W.P.No.26093 of 2015



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