

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 05.11.2015
CORAM
THE HONOURABLE MR. JUSTICE M.M.SUNDRESH
W.P.No.35916 AND 35917 of 2015

P.Chinnappan

... Petitioner
in WP.35916/15

M.Arularasan

... Petitioner
in WP.35917/15

Vs

The Inspector of Police,
Belukurichi Police Station,
Namakkal District.

... Respondent
in both Wps

Prayer in WP.No.35916 of 2015 : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondent authority to give permission to conduct the cultural programme at Singalanthapuram Sri Chinnamariamman Koil Thiruvizha on 09.11.2015 by considering the petitioner representation dated 03.11.2015.

Prayer in WP.No.35917 of 2015 : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondent authority to give permission to conduct the cultural programme at Singalanthapuram Sri Chinnamariamman Koil Thiruvizha on 13.11.2015 by considering the petitioner representation dated 02.11.2015.

For Petitioner : Mr.R.P.Murugan Raja
in both Wps

For Respondents : Mr.R.A.S.Senthil Vel, AGP
in both WPs

COMMON ORDER

Seeking permission to conduct cultural programme on 09.11.2015 and 13.11.2015 at Singalanthapuram Sri Chinnamariamman Koil Thiruvizha, the petitioner made representation dated 03.11.2015 and 02.11.2015 respectively to the respondent. As the same has not been considered, these writ petitions have 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, 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, these writ petitions are allowed and the petitioner is permitted to conduct cultural programme on 09.11.2015 and 13.11.2015 at Singalanthapuram Sri Chinnamariamman Koil Thiruvizha, however, with the following conditions:-

(a) The cultural programme in connection with temple Festival at on 09.11.2015 and 13.11.2015 at Singalanthapuram Sri Chinnamariamman Koil Thiruvizha, 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) 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.
No costs.

Sd/
Asssistant Registrar

True copy
Sub Asssistant Registrar

gya
To

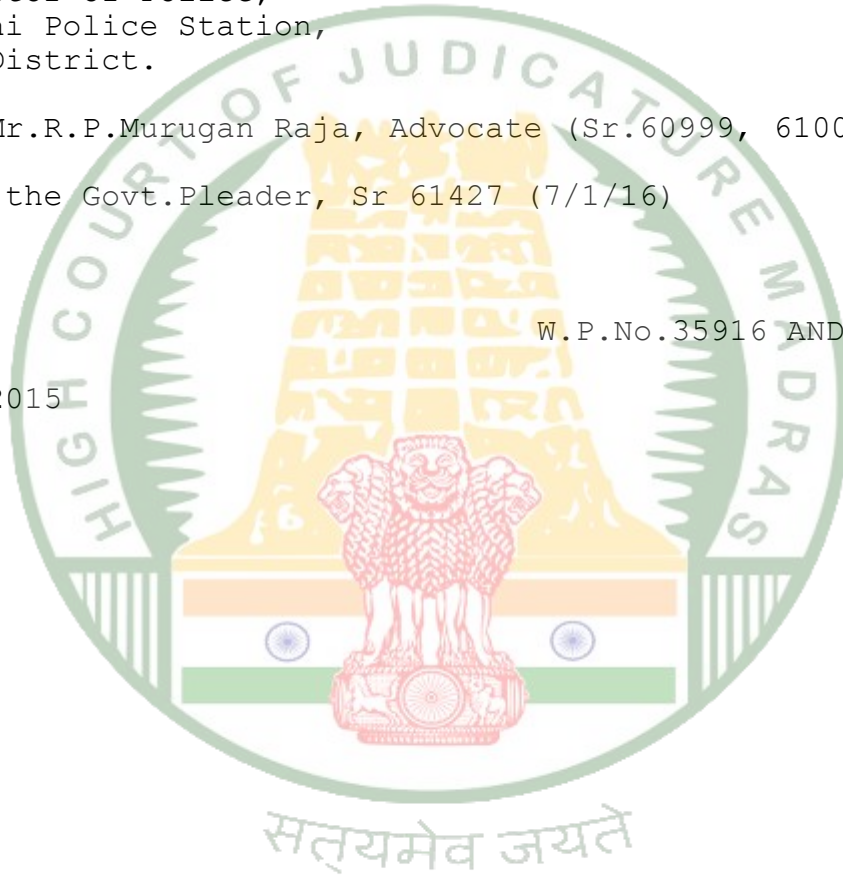
The Inspector of Police,
Belukurichi Police Station,
Namakkal District.

2 ccs to Mr.R.P.Murugan Raja, Advocate (Sr.60999, 61000)

+ 1 cc to the Govt.Pleader, Sr 61427 (7/1/16)

W.P.No.35916 AND 35917 of 2015

jsv(co)
Srg.6.11.2015



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