

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2016

CORAM

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

W.P.No.113 of 2016

M.Yuvaraj

... Petitioner

Vs.

The Inspector of Police,
Thiruchengode Rural Police Station
Namakkal District ... Respondent

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondent to consider the petitioner's representation dated 23.12.2015 made to the respondent, to grant permission in order to conduct the cultural programs and to give protection for the said programs which are scheduled to be conducted on 13.1.2016 and 14.1.2016 at Shri Pachainachi Amman kovil Thidal, situated at Muppattampalayam village, Thevanankurich post, Thiruchengode Taluk, Namakkal District.

For Petitioner : Mr.J.Ramkumar

For Respondent : Mr.V.Subbiah, Spl.Govt.Pleader

O R D E R

Seeking permission to conduct cultural program scheduled to be held on 13.1.2016 and 14.1.2016 at Shri Pachainachi Amman kovil Thidal, situated at Muppattampalayam village, Thevnankurich post, Thiruchengode Taluk, Namakkal District, the petitioner made a representation dated 23.12.2015 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 Special Government Pleader appearing for the respondent.

3.Learned Special 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, the writ petition is allowed and the petitioner is permitted to conduct cultural programmes on 13.1.2016 and 14.1.2016 at Shri Pachainachi Amman kovil Thidal, situated at Muppattampalayam village, Thevnankurich post, Thiruchengode Taluk, Namakkal District, however, with the following conditions:-

(a) The cultural programmes in connection with Shri Pachainachi Amman kovil Thidal, situated at Muppattampalayam village, Thevnankurich post, Thiruchengode Taluk, Namakkal District, be held on 13.1.2016 and 14.1.2016 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/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

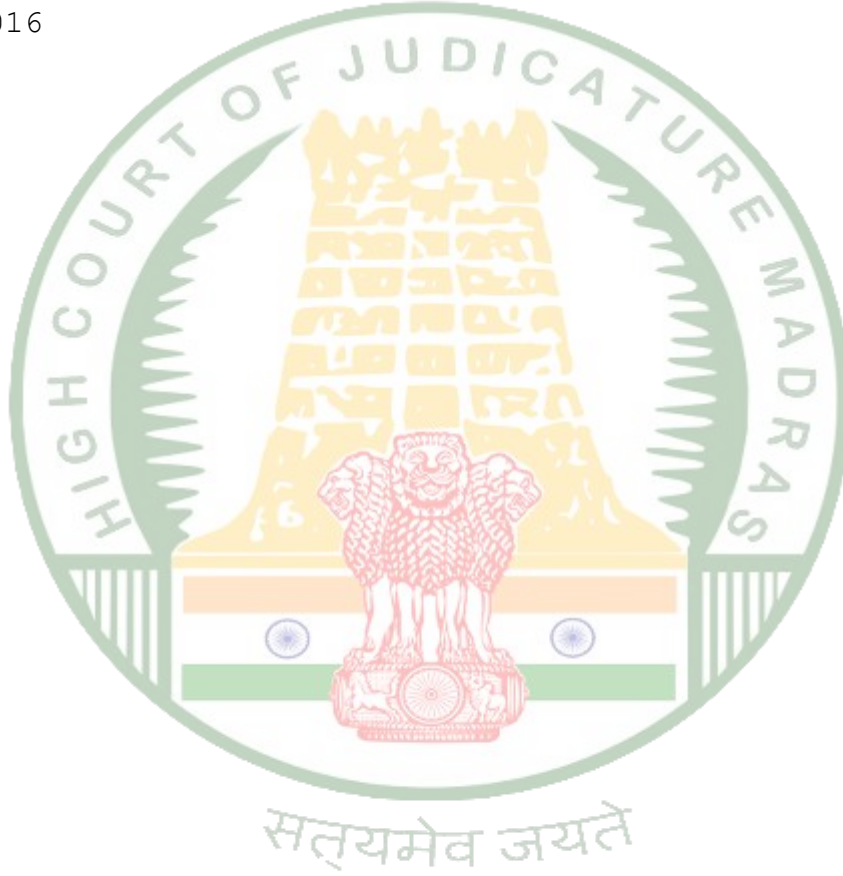
To
The Inspector of Police,
Thiruchengode Rural Police Station
Namakkal District

+1 cc to Mr.J.Ramkumar, Advocate, sr.494

+1 cc to the Govt.Pleader,SR.968 (18/5/16)

W.P.No.113 of 2016

kra 6.1.2016



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