

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.11430 of 2016

D.Shankar

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Salem District.

2.The Inspector of Police,
Kolathur Police Station,
Salem District.

... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondents to give a permission to conduct the dance and Cultural programme on 30.03.2016 in the event of the temple festival of Sri Shakthi Mariyamman Kovil at Kannamoochi Village, Kannamoochi Post, Mettur Taluk, Salem District 636 303 on the basis of the petitioner's representation dated 23.03.2016.

For Petitioner : Mr.S.Viswanathan

For Respondents : Mr.K.Thangapandi, GA

सत्यमेव जयते
O R D E R

Seeking permission to conduct cultural programme in the event of Sri Shakthi Mariyamman Kovil on 30.03.2016 at Kannamoochi Village, Kannamoochi Post, Mettur Taluk, Salem District 636 303, the petitioner made a representation dated 23.03.2016 to the second 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 respondents.

3. Learned Government Advocate, on instructions, would submit that there is likelihood of arising 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 in the event of Sri Shakthi Mariyamman Kovil on 30.03.2016 at Kannamoochi Village, Kannamoochi Post, Mettur Taluk, Salem District 636 303, however, with the following conditions:-

(a) The cultural programme in connection with the event of Sri Shakthi Mariyamman Kovil at Kannamoochi Village, Kannamoochi Post, Mettur Taluk, Salem District 636 303 shall be conducted on 30.03.2016 between 06.00p.m. and 11.00 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 shall be played.

(e) No flex boards in support of any political party or communal leader, shall be erected at the premises of the programme.

(f) The function shall not affect either religious or communal harmony and shall be conducted without any discrimination based on caste.

(g) If there is 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 forthwith; and

(h) Similarly, the police is directed to stop the dance programme, if it is played beyond the permitted time limit.

(i) The respondents are directed to issue necessary permission, incorporating the above conditions.

No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

rk

To

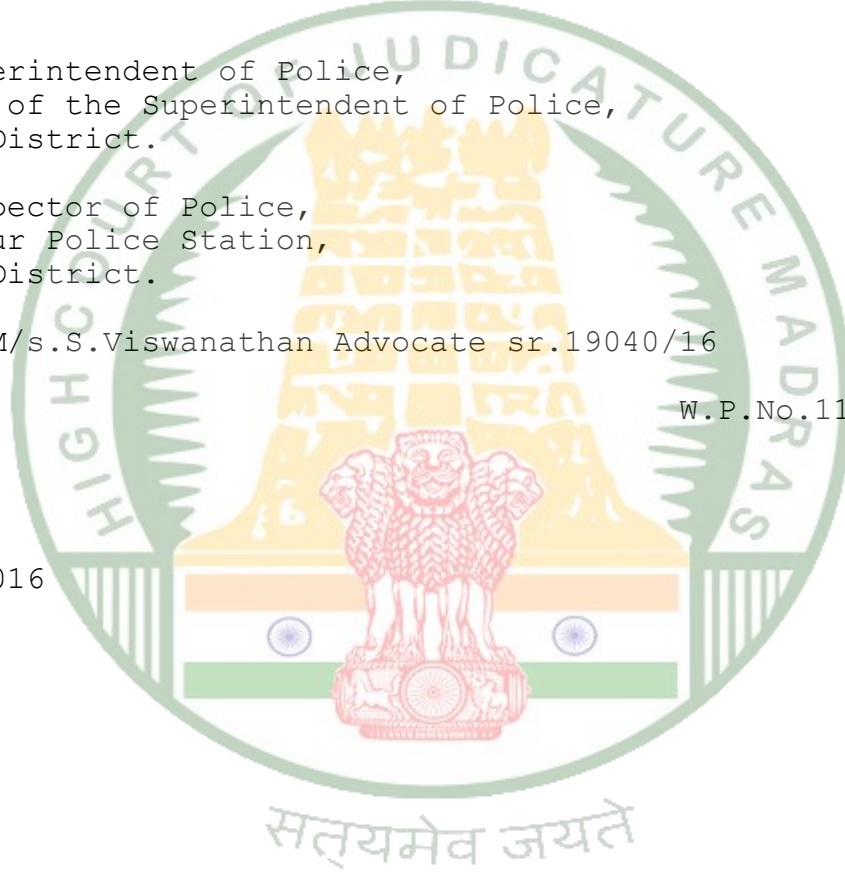
1.The Superintendent of Police,
Office of the Superintendent of Police,
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2.The Inspector of Police,
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+1 cc to M/s.S.Viswanathan Advocate sr.19040/16

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