

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2016

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THE HONOURABLE MR. **JUSTICE R.SUBBIAH**

W.P.No.14776 of 2016
and
W.M.P.No.12904 of 2016

P.K.Vaangilie

.. Petitioner

/vs/

1.The Superintendent of Police,
Namakkal District,
Namakkal.

2.The Inspector of Police,
Namakkal Police Station,
Namakkal.

.. Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus directing the respondents police to give permission to the petitioner and the villagers to conduct the ARULMIGU SRI MAHA MARIAMMAN Temple festival, at E.B.Colony, Paramathi Road, Namakkal Taluk, Namakkal District, with all usual programs scheduled to be conducted on 26.04.2016 and give police protection pursuant to the petitioner's representation dated 07.04.2016.

For Petitioner : Mr.A.R.Suresh

For Respondents : Mrs.M.E.Raniselvam, AGP

ORDER

Seeking permission to conduct cultural programme in the event of Arulmighu Sri Maha Mariamman Temple festival on 26.04.2016 at E.B.Colony, Paramathi Road, Namakkal Taluk and District, the petitioner made separate representation dated 07.04.2016 to the respondents. 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 Additional Government Pleader appearing for the respondents.

3. Learned Additional Government Pleader, 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 Arulmighu Sri Maha Mariamman Temple festival on 26.04.2016 at E.B.Colony, Paramathi Road, Namakkal Taluk and District, however, with the following conditions:-

(a) The cultural programme in connection with the event of Arulmighu Sri Maha Mariamman Temple at E.B.Colony, Paramathi

Road, Namakkal Taluk and District, shall be conducted on 26.04.2016 between 06.00 p.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. Consequently, connected Miscellaneous Petition is closed.

21.04.2016

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Note: Issue the order copy on 22.04.2016

R.SUBBIAH, J

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To

- 1.The Superintendent of Police,
Namakkal District,
Namakkal.
- 2.The Inspector of Police,
Namakkal Police Station,
Namakkal.

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