

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.13630 of 2016

M.Ravi

... Petitioner

Vs.

1.The Commissioner of Police,
Salem City.

2.The Inspector of Police,
Sooramangalam 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 consider the representation dated 05.04.2016 and give permission to conduct the dance program on 14.04.2016 at about 7.00pm and 12.00pm held at Kandhampatty Sri Dhrowpathy Amman Temple Theedal during Therthiruvizha function at Kandhampatty Village and Post, Salem 636 005, Salem District.

For Petitioner : Mr.B.Vasudevan

For Respondents : Mr.P.Sanjay Gandhi,
Addl.Govt.Pleader

O R D E R

Seeking permission to conduct cultural programme in the event of Kandhampatty Sri Dhrowpathy Amman Temple on 14.04.2016 at Kandhampatty Village and Post, Salem 636 005, Salem District, the petitioner made a representation dated 05.04.2016 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 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 Kandhampatty Sri Dhrowpathy Amman Temple on 14.04.2016 at Kandhampatty Village and Post, Salem - 636 005, Salem District, however, with the following conditions:-

(a) The cultural programme in connection with the event of Kandhampatty Sri Dhrowpathy Amman Temple at Kandhampatty Village and Post, Salem 636 005, Salem District, shall be conducted on 14.04.2016 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.

rk

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Commissioner of Police,
Salem City.

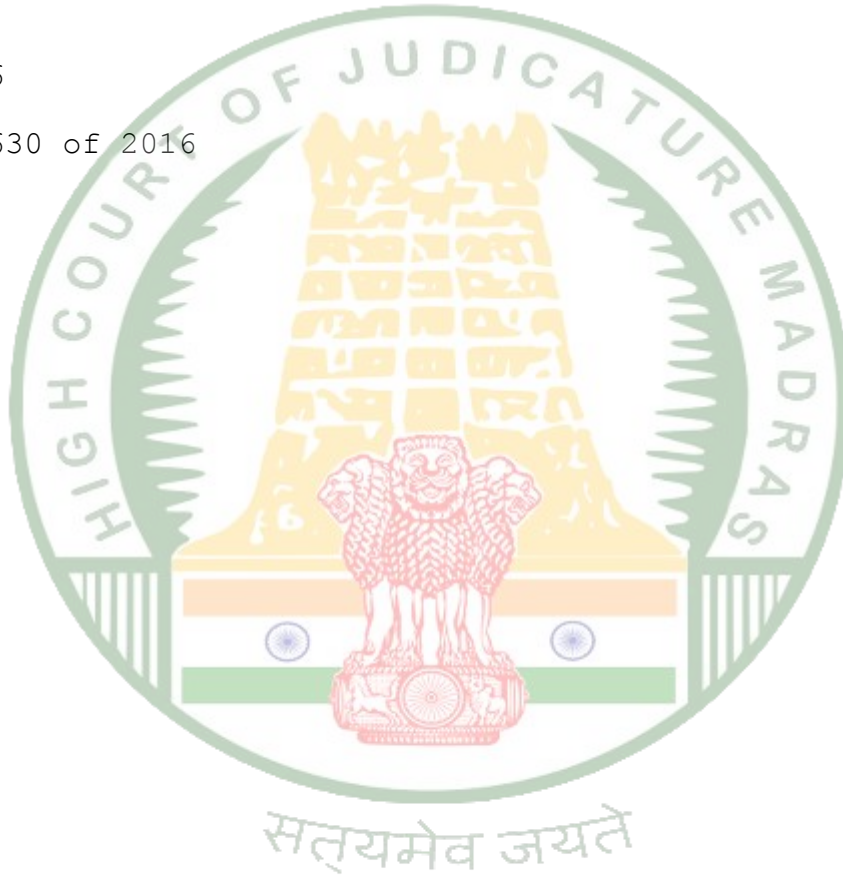
2.The Inspector of Police,
Sooramangalam Police Station,
Salem District.

+1 cc to Government Pleader SR 23159[9/6/16]

+ 1 cc to Mr.B.Vasudevan, Advocate Sr 22791

KR/12/4/16

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