

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.14558 and 14559 of 2016

R. Manjamuthu ... Petitioner
in WP.14558/2016

K. Manjunath ... Petitioner
in WP.14559/2016

Vs.

The Inspector of Police,
Veppur Police Station,
Cuddalore District. ... Respondent
in WP.14558/2016

The Inspector of Police
Thally Police Station
Krishnagiri District ... Respondent
in WP.14559/2016

Writ petitions filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents' authority to give permission to conduct the dance programme at Nadu Street, Veppur Post & Taluk Cuddalore District, festival of Nadu Street Sri Muthumariamman Koil Thiruvila on 20-04-2016 based on the petitioner's representation dated 16-04-2016 and at Vannathi Village, Muthur Post, Thenganikottai Taluk, Krishnagiri District, festival of Vannathi Village, Arulmighu Sri Anianeyar Koil Thiruvizha, on 19-04-2016 based on the petitioner's representation dated 12-04-2016 and pass orders.

For Petitioners : Mr. R.P. Murugan Raja
For Respondents : Mrs. M.E. Raniselvam,
Addl. Govt. Pleader

ORDER

By consent, the main writ petitions are taken up for final disposal.

2. Seeking permission to conduct cultural programmes at Nadu Street, Veppur Post & Taluk Cuddalore District, festival of Nadu Street Sri Muthumariamman Koil Thiruvila on 20-04-2016 based on the petitioner's representation dated 16-04-2016 in W.P.No.14558 of 2016 and at Vannathi Village, Muthur Post,

Thenganikottai Taluk, Krishnagiri District, festival of Vannathi Village, Arulmighu Sri Anianeyar Koil Thiruvizha, on 19-04-2016 based on the petitioner's representation dated 12-04-2016 in W.P.No.14559 of 2016. As the same has not been considered so far, the present writ petitions have been filed.

3. I have heard the learned counsel appearing for the petitioners and the learned Additional Government Pleader, who has taken notice on behalf of the respondents.

4. Learned Additional Government Pleader, on instructions, would submit that there is likelihood of law and order problem.

5. A mere apprehension cannot be a ground to reject the representation of the petitioners. 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.

6. In such view of the matter, the writ petitions are allowed and the petitioners are permitted to conduct cultural programme at Nadu Street, Veppur Post & Taluk Cuddalore District, festival of Nadu Street Sri Muthumariamman Koil Thiruvila on 20-04-2016 based on the petitioner's representation dated 16-04-2016 in W.P.No.14558 of 2016 and at Vannathi Village, Muthur Post, Thenganikottai Taluk, Krishnagiri District, festival of Vannathi Village, Arulmighu Sri Anianeyar Koil Thiruvizha, on 19-04-2016 based on the petitioner's representation dated 12-04-2016 in W.P.No.14559 of 2016, however, with the following conditions:-

(a) The cultural programmes in connection with temple Festival at Nadu Street, Veppur Post & Taluk Cuddalore District, festival of Nadu Street Sri Muthumariamman Koil Thiruvila to be held on 20-04-2016, and at Vannathi Village, Muthur Post, Thenganikottai Taluk, Krishnagiri District, festival of Vannathi Village, Arulmighu Sri Anianeyar Koil Thiruvizha to be held on 19-04-2016, between 06.00 p.m. to 10.30 p.m.

(b) There should not be any kind of obscene dance or vulgar dialogue 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.

Further, the respondents are directed to issue necessary permission, incorporating the above conditions. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
Veppur Police Station,
Cuddalore District.
2. The Inspector of Police
Thally Police Station
Krishnagiri District

+2 ccs to Mr.R.P.Murugan Raja Advocate sr.24081 & 24082

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