

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.15630 of 2016

Gowtham

... Petitioner

Vs.

The Inspector of Police,
Tharamangalam Police Station,
Tharamangalam Post
Salem District

... Respondent

PRAYER : Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondent authority to give permission to conduct the dance program at Arulmigu Sree Mariamman Kovil Athirampatti Malliakkuttai Post Tharamangalam Via Omalur Taluk Salem District on 29/04/2016 based on the petitioners representation dated 22/04/2016.

For Petitioner : Mr.P.Lakshmikanthan

For Respondent : Mr.K.Thangapandi, Govt.Advocate

O R D E R

Seeking permission to conduct cultural programme in the event of Arulmigu Sree Mariamman Kovil festival on 29.04.2016 at Athirampatti, Malliakkuttai Post, Tharamangalam Via Omalur Taluk, Salem District, the petitioner made a representation dated 22.04.2016 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 Government Advocate appearing for the respondent.

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 Arulmigu Sree Mariamman Kovil festival on 29.04.2016 at Athirampatti, Malliakkuttai Post, Tharamangalam Via Omalur Taluk, Salem District, however, with the following conditions:-

(a) The cultural programme in connection with in the event of Arulmigu Sree Mariamman Kovil festival on 29.04.2016 at Athirampatti, Malliakkuttai Post, Tharamangalam Via Omalur Taluk, Salem District, shall be conducted on 29.04.2016 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 respondent is directed to issue necessary permission, incorporating the above conditions.

No costs.

rg

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To

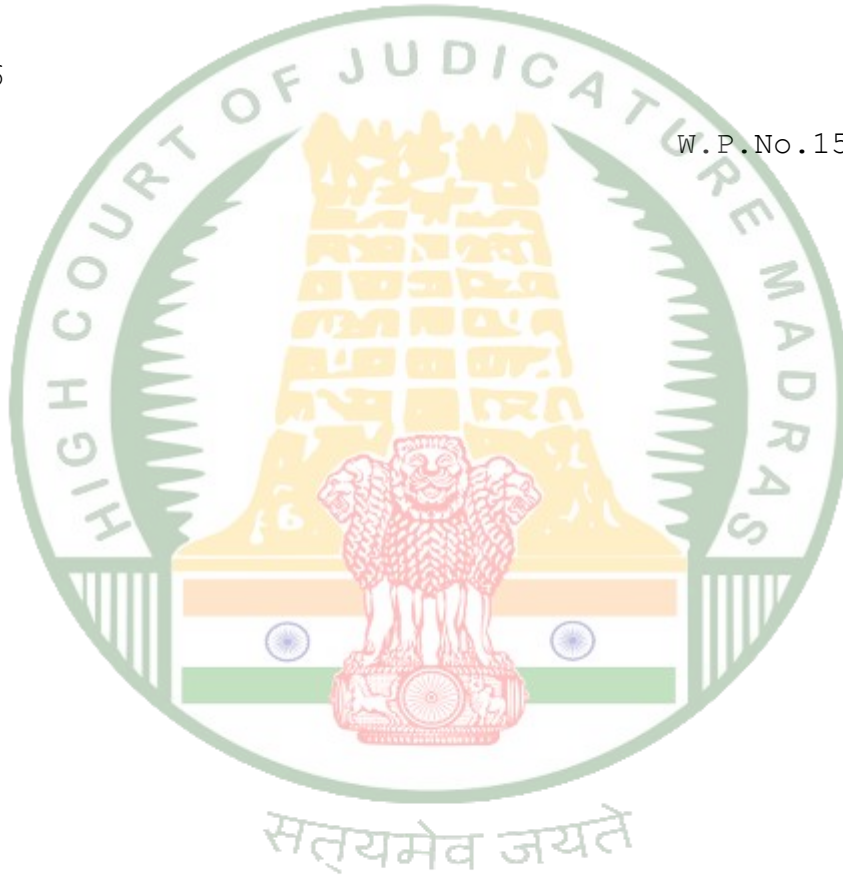
The Inspector of Police,
Tharamangalam Police Station,
Tharamangalam Post,
Salem District.

+ 1 cc to Mr.P.Lakshmikanthan, Advocate Sr 25988

+ 1 cc to The Govt.Pleader, Sr 26341 (3/6/16)

KR/27/4/16

W.P.No.15630 of 2016



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