

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2016

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P.No.1634 of 2016

P.Ravichandiran

.. Petitioner

Vs.

The Inspector of Police
Nangkavalli Police Station
Salem District

... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondent to grant permission and protection to conduct cultural program (Dance & Music Program) in the South Nagar Sri Kandhaswamy Kovil Situated at Pazhankottai, South Nagar, Viruthasampatty, Mettur Taluk, Salem District scheduled to be held on 24.01.2016 from 07.00pm to 10.30pm.

For Petitioner : M/s.N.Desinghu

For respondent : M/s.P.Rajalakshmi, GA.

O R D E R

Seeking permission to conduct the cultural and dance program in the event of South Nagar Sri Kandhaswamy Kovil festival on 24.01.2016 at Pazhankottai, South Nagar, Viruthasampatty, Mettur Taluk, Salem District, the petitioner made a representation dated 17.01.2016 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 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 on 24.01.2016 at South Nagar, Sri Kandhaswamy Kovil, Pazhankottai, South Nagar,

Viruthasampatty, Mettur Taluk, Salem District, however, with the following conditions:-

(a) The cultural programme in connection with temple Festival at South Nagar Sri Kandhaswamy Kovil, Pazhankottai, South Nagar, Viruthasampatty, Mettur Taluk, Salem District, be held on 24.01.2016 between 07.00 p.m and 10.30 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 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.

(i) The respondent is directed to issue necessary permission, incorporating the above conditions.

No costs.

sd/-

Assistant Registrar (Cs-IV)

/TRUE COPY/

Sub-Assistant Registrar

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To

The Inspector of Police
Nangkavalli Police Station
Salem District.

+1 CC to MR.N.Desinghu Advocate. SR.NO.2811

+1 cc to the Government Pleader, SR.2988 (6/5/16)

W.P.No.1634 of 2016.

CO-VS

JD 19/01/2016

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