

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2016

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P.No.1641 of 2016

K.Thiyagarajan

.. Petitioner

Vs.

1. The Inspector of Police
Veeranam Police Station
Salem District

2. The Sub Inspector of Police
Veeranam Police Station
Salem District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 13.01.2016 made to the second respondent to grant permission in order to conduct the cultural program which is scheduled to be conducted on 20.01.2016 at Arulmighu Sri Sakthi Mariamman Thirukoil, Pallikoodathanoor village, Salem District.

For Petitioner : M/s.J.Franklin

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

O R D E R

Seeking permission to conduct the cultural and dance program in the event of Arulmighu Sri Sakthi Mariamman Thirukoil festival on 20.01.2016 at Pallikoodathanoor village, Salem District, the petitioner made a representation dated 13.01.2016 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 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 20.01.2016 at Arulmighu Sri Sakthi Mariamman Thirukoil, Pallikoodathanoor village, Salem District, however, with the following conditions:-

(a) The cultural programme in connection with temple Festival at Arulmighu Sri Sakthi Mariamman Thirukoil, Pallikoodathanoor village, Salem District, be held on 20.01.2016 between 06.00 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.

tsh

s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police
Veeranam Police Station
Salem District

2. The Sub Inspector of Police
Veeranam Police Station
Salem District.

+ 1 cc to Mr.J.Franklin Advocate SR 2814

+1 cc to the Government Pleader, SR.2982 (06/05/16)

kgk(co)
prk20/1

W.P.No.1641 of 2016.



WEB COPY