

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.16491 of 2016

Madhu

... Petitioner

Vs.

1. The Superintendent of Police,
Salem District.
2. The Deputy Superintendent of Police,
Omalur, Salem District.
3. The Inspector of Police,
Omalur 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 to grant permission based on petitioner's representation dated 22.4.2016 to conduct the program which is scheduled to be held on 6.5.2016 at Sri Sakthi Mariyamman Temple, situate at R.C.Chettipatti, Kottamettupatti Village, Omalur Taluk, Salem District.

For Petitioner : Mr.S. Angamuthu

For Respondents : Mr.ERA.Premnath
Govt. Advocate

सत्यमेव जयते
O R D E R

Seeking permission to conduct cultural programme in the event of Sri Sakthi Mariamman Koil Thiruvizha on 06.05.2016 at R.C.Chettipatti, Kottamettupatti Village, Omalur Taluk, Salem District the petitioner made a representation dated 22.4.2016 to the 2nd 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 respondents.

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 Sri Sakthi Mariamman Koil Thiruvizha on 06.05.2016 at R.C.Chettipatti, Kottamettupatti Village, Omalur Taluk, Salem District, however, with the following conditions:-

(a) The cultural programme in connection with in the event of Sri Sakthi Mariamman Koil Thiruvizha at R.C.Chettipatti, Kottamettupatti Village, Omalur Taluk, Salem District shall be conducted on 06.05.2016 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.

Sd/- सतयमेव जयते
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

msr

To

1. The Superintendent of Police,
Salem District.

2. The Deputy Superintendent of Police,
Omalur, Salem District.

3. The Inspector of Police,
Omalur Police Station,
Salem District.

+1 cc to Mr.S.Angamuthu, Advocate, sr.27462

W.P.No.16491 of 2016

kk co
kra 03.05.2016



WEB COPY