

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19-05-2016

CORAM

THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM

Writ Petition No.18212 of 2016

Sagadevan

... Petitioner

Vs.

1. The Superintendent of Police,
Vellore District

2. The Inspector of Police,
Viruthampattu Police Station,
Katpadi Taluk,
Vellore District

3. The Inspector of Police,
Latheri Police Station,
Katpadi Taluk,
Vellore District

... Respondents

Writ petitions filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to give permission to conduct a festival program schedule in 35th year Sri Pillaiar, Sri Ponniyamman Thiruvizha at Karasamangalam, Senur Panchayat, Katpadi Taluk schedule to be held on 21.05.2015 in yearly festival in our village by considering the petitioner's representations dated 14.05.2016 and 17.05.2016.

For Petitioner : Mr.D.A.Sugumar

For Respondents : Mr. P.Sanjay Gandhi, GA

ORDER

By consent, the main writ petition is taken up for final disposal.

2. Seeking permission to conduct a cultural program schedule to be held on 21.05.2016 "Shri Ponniyamman Thiruvizha" at Karasamangalam, Senur Panchayat, Katpadi Taluk, Vellore District by considering the petitioner's representations dated 14.05.2016 and 17.05.2016. The same has not been considered and hence, the present writ petitions have been filed.

3. I have heard the learned counsel appearing for the petitioner and the learned Government Advocate, who has taken notice on behalf of the respondent.

4. Learned Government Advocate, 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 petitioner. 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 petition is disposed of and the petitioner is permitted to conduct the village temple festival, however, with the following conditions:-

"(a) cultural programme at "Sri Ponniammam Thiruvizha" at Karasamangalam, Senur Panchayat, Katpadi Taluk, Vellore District on 21.05.2016 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.
srn/glp

-s/d-

Assistant Registrar (CS-VI)

True Copy

Sub-Assistant Registrar

To

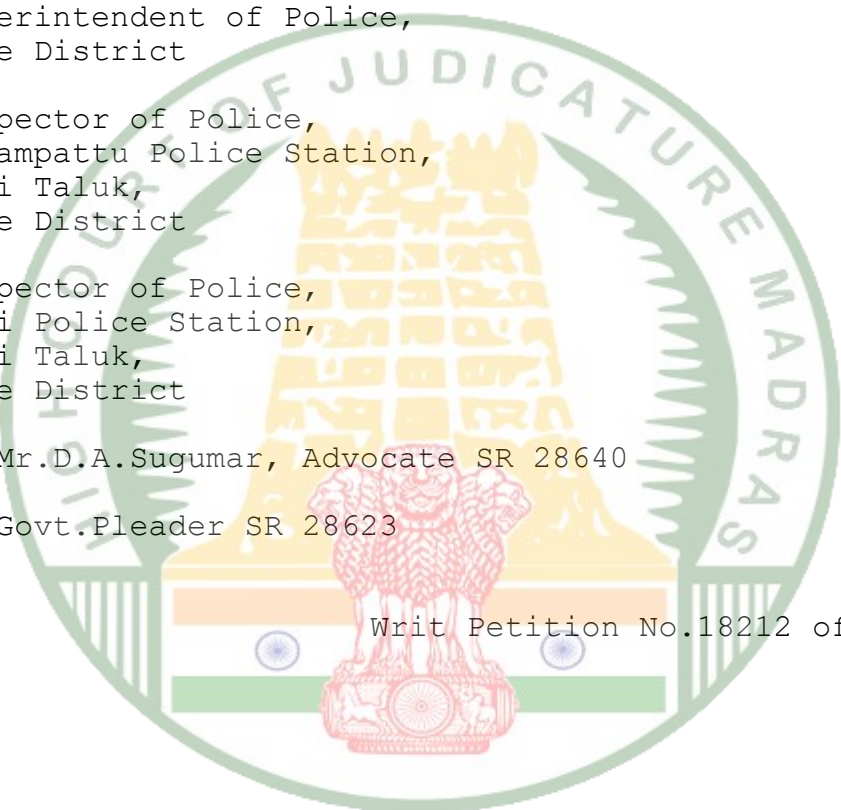
1. The Superintendent of Police,
Vellore District
2. The Inspector of Police,
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Katpadi Taluk,
Vellore District
3. The Inspector of Police,
Latheri Police Station,
Katpadi Taluk,
Vellore District

+ 1 cc to Mr.D.A.Sugumar, Advocate SR 28640

+ 1 cc to Govt.Pleader SR 28623

scd(co)
prk20/5

Writ Petition No.18212 of 2016

The seal of the High Court of Madras is a circular emblem. It features a central yellow temple gopuram (tower) with a red lion capital on top. The gopuram is set against a green background with a white border. The words "HIGH COURT OF JUDICATURE MADRAS" are written in a circular path around the central image. Below the seal, the Sanskrit motto "सत्यमेव जयते" (Satyameva Jayate) is written in Devanagari script.

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