

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2016

CORAM

THE HON'BLE Mr. JUSTICE R.MAHADEVAN

W.P.No.1990 of 2016

V.Jothikumar

[Petitioner]

Vs

1.The Deputy Superintendent of Police
Office of the Deputy Superintendent of Police,
Dharapuram.

2.The Inspector of Police
Mulanoor Police Station
Mulanoor, Dharapuram Taluk,
Tirupur District.

[Respondents]

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus to direct the respondents to grant permission to conduct the cultural programme on evening of 01.03.2016 as part of Arulmighu Vanjiamman Temple Car festival in Mulanoor Village of Dharapuram Taluk by considering petitioner's representation dated 13.01.2016.

For Petitioner

... Mr.N.Ponraj

For Respondents

.. Mr.S.Pattabiraman
Government Advocate

ORDER

Seeking permission to conduct dance programme on 01.03.2016 in "Arulmighu Vanjiamman Temple Car Festival" at Mulanoor Village, Dharapuram Taluk, 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 respondents.

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 01.03.2016 in "Arulmighu Vanjiamman Temple" at Mulanoor Village, Dharapuram Taluk, , however, with the following conditions:-

(a) The cultural programme in connection with temple Car Festival at "Arulmighu Vanjiamman Temple" at Mulanoor Village, Dharapuram Taluk, , to be held on 01.03.2016 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) The cultural programme shall be conducted without damaging the actual culture of this land.

(h) If there is any violation of any one of the conditions imposed, the concerned police officer is at liberty to take necessary stringent action, as per law and stop such performance;

(i) Similarly, the police is entitled to stop the dance programme, if it exceeds beyond the permitted time, and

(j)The respondents are directed to issue necessary permission, incorporating the above conditions.

No costs.

sd/-
Assistant Registrar (Cs-III)

/TRUE COPY/

Sub-Assistant Registrar

msr

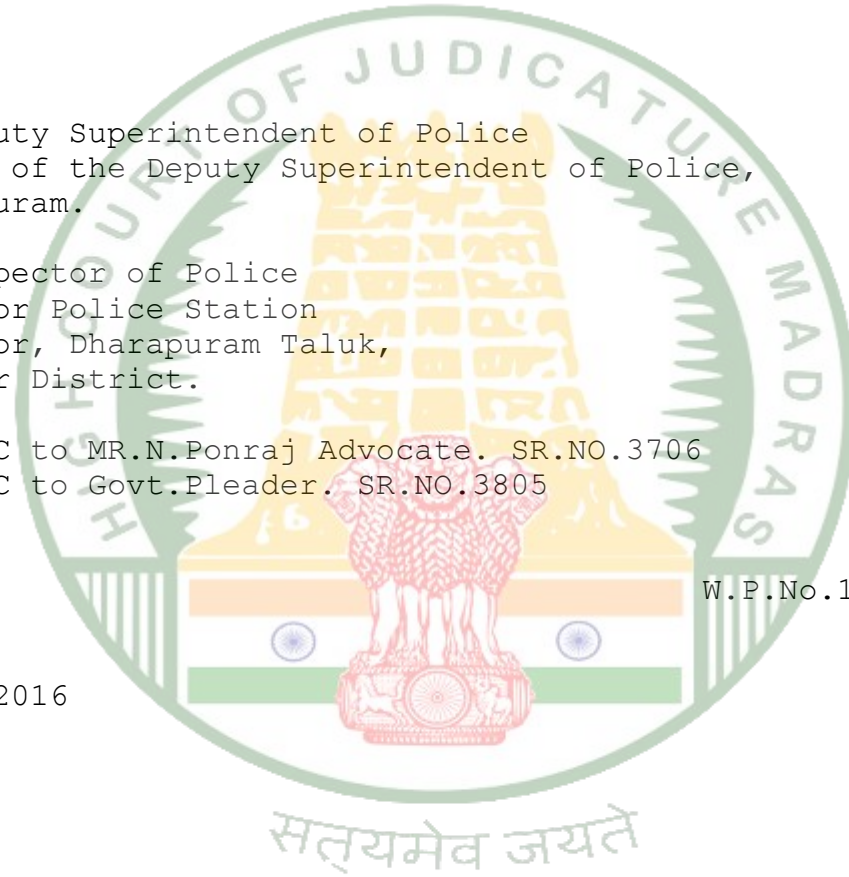
To

- 1.The Deputy Superintendent of Police
Office of the Deputy Superintendent of Police,
Dharapuram.
- 2.The Inspector of Police
Mulanoor Police Station
Mulanoor, Dharapuram Taluk,
Tirupur District.

+1 CC to MR.N.Ponraj Advocate. SR.NO.3706
+1 CC to Govt.Pleader. SR.NO.3805

W.P.No.1990 of 2016

CO-CA
JD 25/01/2016



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