

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2016

CORAM:

The Hon'ble Mr.Justice R.Mahadevan

W.P.No.2057 of 2016

P.K.Kuppusamy

... Petitioner

Vs.

The Inspector of Police,
Kaveripattinam Police Station,
Krishnagiri District.

.. Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, to direct the respondent authority to give permission to conduct the cultural programme at Pothapuram Sri Marriamman Koil Thiruvizha on 24.01.2016, by considering the petitioner's representation, dated 19.01.2016.

For Petitioner : Mr.R.P.Muruganraja

For Respondent : Mr.Dig Vijaya Pandian
Additional Government Pleader

ORDER

Seeking permission to conduct the dance programme on 24.01.2016, in Pothapuram Sri Marriamman Koil, Krishnagiri District, the petitioner made a representation dated 19.01.2016, 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 Additional Government Pleader, who accepts notice for the respondent.

3. Learned Additional Government Pleader, 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 the cultural programme on 24.01.2016, in Pothapuram Sri Marriamman Koil, Krishnagiri District, however, with the following conditions :-

(a) The cultural programme in connection with the temple Festival at Pothapuram Sri Marriamman Koil, be held on 24.01.2016, 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) 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 respondent is directed to issue necessary permission, incorporating the above conditions.

No costs.

Sd/-

Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

sd

To

The Inspector of Police,
Kaveripattinam Police Station,
Krishnagiri District.

1 cc to Mr.R.P. Murugan Raja, Advocate, SR. 3515

1 cc to Government Pleader, Sr. 3791

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