

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2016

CORAM

THE HON'BLE Mr. JUSTICE R.MAHADEVAN

W.P.No.2292 of 2016

T.N.A.Ananthan

[Petitioner]

Vs

The Inspector of Police,
Chithodu Police Station,
Erode.

[Respondent]

Petition filed under Article 226 of The Constitution of India praying to issue a writ of Mandamus, directing the respondent authority to give permission to conduct the dance programme at Thotipalayam Sri Mariamman Temple at No.5/62, Thotipalayam 1st Street, Nasiyanoor, Erode District on 28.01.2016 based on the petitioner's representation dated 19.01.2016.

For Petitioner ... Mr.V.Ravichandran
For Respondent ... Mr.V.Subbiah,
Special Government Pleader

ORDER

Seeking permission to conduct cultural and adventure programme on 28.01.2016 at Thotipalayam Sri Mariamman Temple, situated at No.5/62, Thotipalayam 1st Street, Nasiyanoor, Erode 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 Special Government Pleader appearing for the respondent.

3. Learned Special 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 Cultural and Adventure Programme on 28.01.2016 at Thotipalayam Sri Mariamman Temple, situated at No.5/62, Thotipalayam 1st Street, Nasiyanoor, Erode District , however, with the following conditions:-

(a) The cultural programme in connection with temple Festival at Sri Thotipalayam Sri Mariamman Temple, No.5/62, Thotipalayam 1st Street, Nasiyanoor, Erode District shall be held on 28.01.2016 between 07.00 p.m and 10.00 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 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; and

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

(j) The respondent is directed to issue necessary permission, incorporating the above conditions.

No costs.

s/d-

Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

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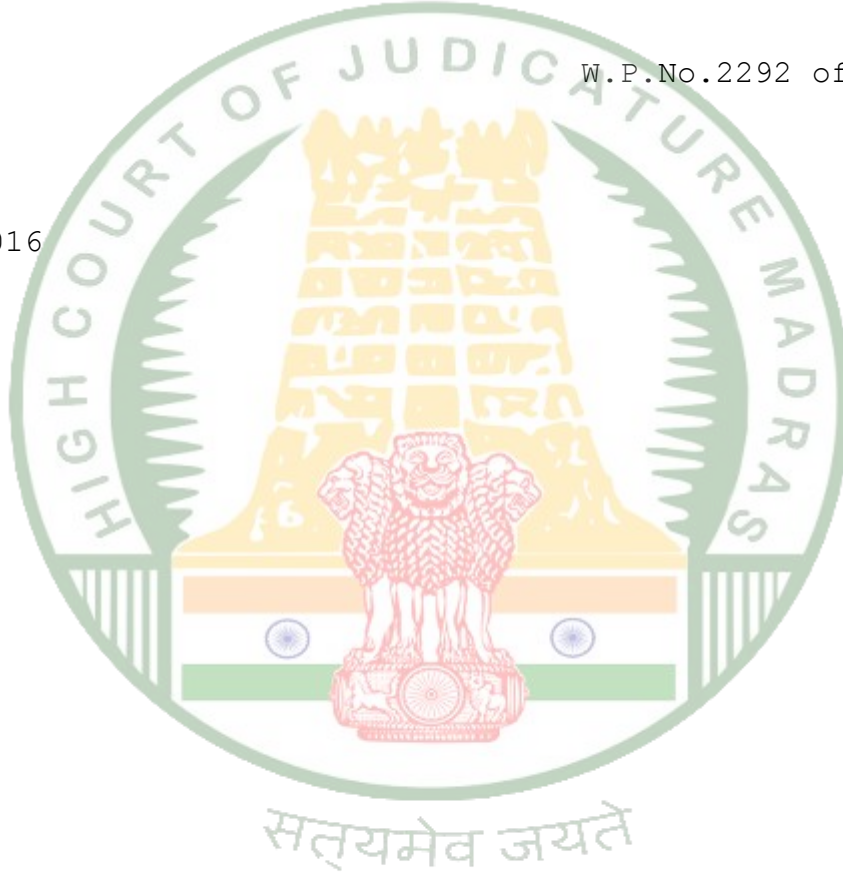
To

The Inspector of Police,
Chithodu Police Station,
Erode.

+1 cc to Mr.V.Ravichandran Advocate sr3847
+1 cc to Government Pleader sr.4165

W.P.No.2292 of 2016

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