

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2016

CORAM

THE HON'BLE MR. JUSTICE M.M.SUNDRESH

W.P.No.2725 of 2016

K.Ravindran

... Petitioner

Vs.

1. The Superintendent of Police,
Erode District.

2. The Inspector of Police,
Siruvalur Police Station,
Siruvalur District.

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondent to grant permission to conduct festival programs namely, Gramiya Nadana Nattiya Nigazhchi and Children Esai Nadana Nattiya Nigazhchi on 03.02.2016 and 04.02.2016 respectively in view of the festival at Sri Arul Karia Kaliyamman Koil, Korakattur, Vellankoil, Gobichettipalayam Taluk, Erode District.

For Petitioner : Mr.C.Munusamy

For Respondent : Mrs.P.Rajalakshmi,
Government Advocate

O R D E R

Seeking permission to conduct festival programs namely, Gramiya Nadana Nattiya Nigazhchi and Children Esai Nadana Nattiya Nigazhchi on 03.02.2016 and 04.02.2016 respectively, in view of the festival at Sri Arul Karia Kaliyamman Koil, Korakattur, Vellankoil, Gobichettipalayam Taluk, Erode District, the petitioner made a representation dated 18.01.2016 to the respondents. 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 festival programs namely, Gramiya Nadana Nattiya Nigazhchi and Children Esai Nadana Nattiya Nigazhchi on 03.02.2016 and 04.02.2016 respectively, in view of the festival at Sri Arul Karia Kaliyamman Koil, Korakattur, Vellankoil, Gobichettipalayam Taluk, Erode District, however, with the following conditions:-

(a) The festival programs namely, Gramiya Nadana Nattiya Nigazhchi and Children Esai Nadana Nattiya Nigazhchi on 03.02.2016 and 04.02.2016 respectively, in view of the festival at Sri Arul Karia Kaliyamman Koil, Korakattur, Vellankoil, Gobichettipalayam Taluk, Erode District should be held 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) 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.

(i) The respondents are directed to issue necessary permission, incorporating the above conditions. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

rms

To

1. The Superintendent of Police,
Erode District.
2. The Inspector of Police,
Siruvalur Police Station,
Siruvalur District.

+1cc to Mr.C.Munusamy, Advocate, S.R.No.4434
+1cc to the Government Pleader, S.R.No.5016

W.P.No. 2725 of 2016

AK(CO)
CA(28/01/2016)



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