

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.3967 of 2016

S.Palanisamy

.. Petitioner

Vs.

- 1.The Superintendent of Police,  
Namakkal District.
- 2.The Deputy Superintendent of Police,  
Thiruchengode Taluk,  
Namakkal District.
- 3.The Inspector of Police,  
Thiruchengode Rural Police Station,  
Namakkal District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to give permission to conduct the dance programme on 12.02.2016 at about 08.00 p.m. to 12.00 p.m. held at SriDevi BoomiDevi Sametha Seenivasa Perumal Thirukoil Theedal, during Thai Pongal Vizha function at Kosavampalayam, Mandagapalayam Village and post, Tiruchengode Taluk, Namakkal District by considering the representation dated 21.01.2016.

For Petitioner : Mr.B.Vasudevan

For Respondents : Mr.S.Pattibiraman  
Government Advocate.

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O R D E R

With the consent of both sides, the Writ Petition is taken up for final disposal.

2. Seeking permission to conduct cultural programme on 12.02.2016 in SriDevi BoomiDevi Sametha Seenivasa Perumal Thirukoil Theedal at Kosavampalayam, Mandagapalayam Village and post, Tiruchengode Taluk, Namakkal District, the petitioner made a representation dated 21.01.2016 to the respondent. As the

same has not been considered, the present writ petition has been filed.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for 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. 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 12.02.2016 in SriDevi BoomiDevi Sametha Seenivasa Perumal Thirukoil Theedal at Kosavampalayam, Mandagapalayam Village and post, Tiruchengode Taluk, Namakkal District, however, with the following conditions:-

(a) The cultural programme in connection with temple Festival at Kosavampalayam, Mandagapalayam Village and post, Tiruchengode Taluk, Namakkal District, to be held on 12.02.2016 between 08.00 p.m. to 12.00 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) 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 respondent is directed to issue necessary permission, incorporating the above conditions.

No costs.

-s/d-  
Assistant Registrar

True Copy

Sub-Assistant Registrar

ssd

To

1.The Superintendent of Police,  
Namakkal District.

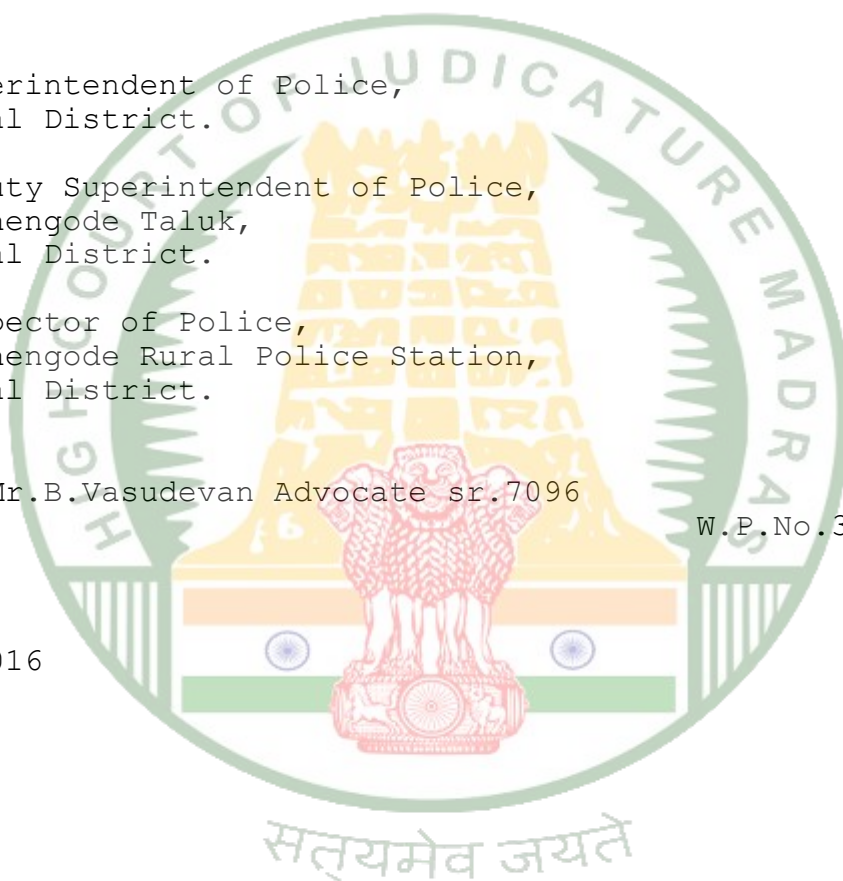
2.The Deputy Superintendent of Police,  
Thiruchengode Taluk,  
Namakkal District.

3.The Inspector of Police,  
Thiruchengode Rural Police Station,  
Namakkal District.

+1 cc to Mr.B.Vasudevan Advocate sr.7096

W.P.No.3967 of 2016

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