

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.4706 of 2016

S.Settu

... Petitioner

Vs.

State represented by its
The Inspector of Police
Melpadi Police Station
Melpadi, Vellore District

.... Respondent

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondent to consider the petitioner's representation dated 03.02.2016 for providing permission to conduct Village folk dance and other cultural programs on 19.02.2016 at Vallimalai Subramaniam Swamy temple Festival at Chinakeesakuppam, Melpadi Post, Kattpadi Taluk, Vellore District.

For Petitioner : Mr.T.Meganathan

For Respondent: Mr.S.V.Durai Solaimalai
Additional Government Pleader

O R D E R

Seeking permission to conduct Village folk dance and other cultural programs on 19.02.2016 at Vallimalai Subramaniam Swamy temple Festival at Chinakeesakuppam, Melpadi Post, Kattpadi Taluk, Vellore District, the petitioner made a representation dated 03.02.2016 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 appearing 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 Village folk dance and other cultural programs on 19.02.2016 at Vallimalai Subramaniam Swamy temple Festival at Chinakeesakuppam, Melpadi Post, Kattpadi Taluk, Vellore District, however, with the following conditions:-

(a) The Village folk dance and cultural programme in connection with temple Festival at Vallimalai Subramaniam Swamy temple Festival at Chinakeesakuppam, Melpadi Post, Kattpadi Taluk, Vellore District, to be held on 19.02.2016 between 06.00 p.m. to 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 respondent is directed to issue necessary permission, incorporating the above conditions. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

mra

To

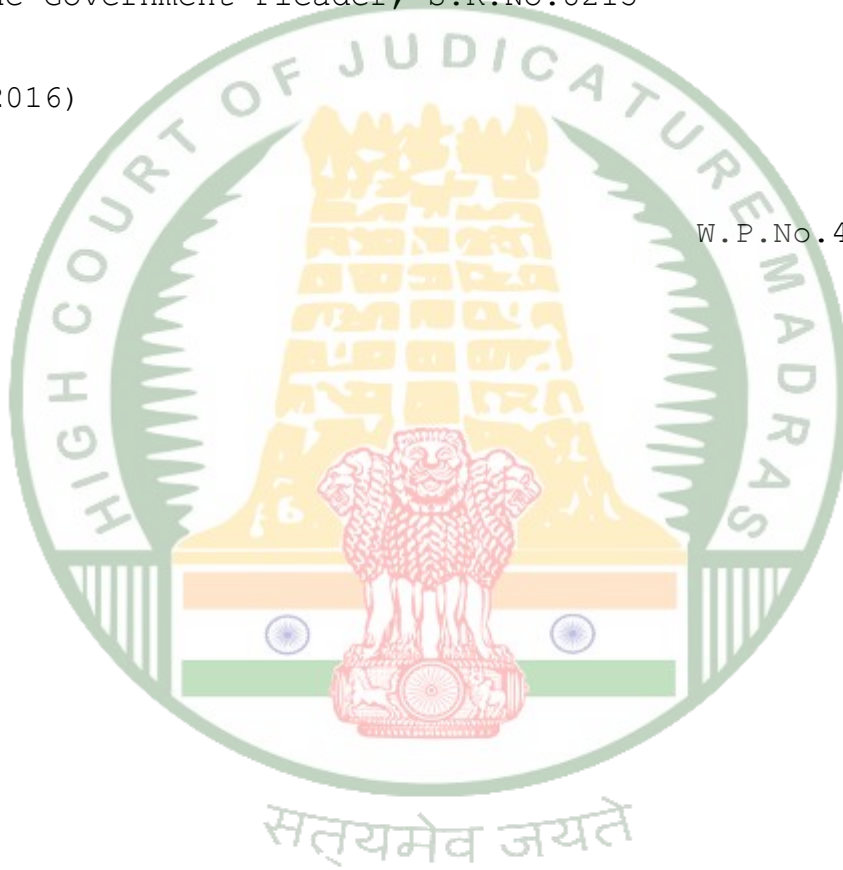
The Inspector of Police
Melpadi Police Station
Melpadi, Vellore District

+1cc to Mr.T. Meganathan, Advocate, S.R.No.8074

+1cc to the Government Pleader, S.R.No.8215

CA(CO)
EU(17/02/2016)

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