IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.4877 of 2016

R.Chandar ... Petitioner

Vs.

The Inspector of Police,
Verichipuram Police Station,
Verichipuram,
Vellore District. ... Respondent

Prayer:
Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to give permission to the petitioner to conduct a cultural program scheduled to be held on 03.03.2016 at "Nallathaiyammal Temple" at Kanniyamman Koil Street, Ramapuram Village, Sathiyamangalam Post, Annaikattu Taluk, Vellore District by considering the petitioner's representation dated 05.02.2016.

For Petitioner : Mr.Satheesh

For Respondent : Mr.M.Dig Vijaya Pandian
Additional Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal.

2.Seeking permission to conduct cultural programme on 03.03.2016 at "Nallathaiyammal Temple" at Kanniyamman Koil Street, Ramapuram Village, Sathiyamangalam Post, Annaikattu Taluk, Vellore District, the petitioner made a representation dated 05.02.2016 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 Additional Government Pleader appearing for the respondent.

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/

4.Learned Additional Government Pleader, 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 03.03.2016 at "Nallathaiyammal Temple" at Kanniyamman Koil Street, Ramapuram Village, Sathiyamangalam Post, Annaikattu Taluk, Vellore District, however, with the following conditions:-

(a) The cultural programme in connection with temple Festival at "Nallathaiyammal Temple" at Kanniyamman Koil Street, Ramapuram Village, Sathiyamangalam Post, Annaikattu Taluk, Vellore District, to be held on 03.03.2016 between 06.00 p.m. to 10.30 p.m.

(b) There should not be any kind of obscene dance or vulgar dialogue 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.

WEB COPY

Further, the respondent is directed to issue necessary permission, incorporating the above conditions. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

pri

https://hcservices.ecourts.gov.in/hcservices/

To

The Inspector of Police,
Verichipuram Police Station,
Verichipuram,
Vellore District.

+1cc to Mr.Satheesh, Advocate, S.R.No.8167
+1cc to the Government Pleader, S.R.No.8565

W.P.No.4877 of 2016

TEJ(CO)
CA(16/02/2016)

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/