

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2016

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.5318 of 2016

R.Subramani

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Ambur,
Vellore District.

2.The Inspector of Police,
Umarapath Police Station,
Umarapath, Ambur Taluk,
Vellore District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to give permission to conduct the dance programme in the event of Sri Pidariamman Thirukoil festival on 23.02.2016 at Sathampakkam Village, Pernampet, Vellore District.

For Petitioner : Mr.Durai Gunasekaran

For Respondents : Mr.R.A.S.Senthilvel

Additional Government Pleader

O R D E R

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

2.Seeking permission to conduct dance programme on 23.02.2016 in Sri Pidariamman Thirukoil festival at Sathampakkam Village, Pernampet, Vellore District, the petitioner made a representation dated 04.02.2016 to the second 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 respondents.

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 dance programme on 23.02.2016 in Sri Pidariamman Thirukoil festival at Sathampakkam Village, Pernampet, Vellore District, however, with the following conditions:-

(a) The dance programme in connection with temple Festival at Sri Pidariamman Thirukoil festival at Sathampakkam Village, Pernampet, Vellore District, to be held on 23.02.2016 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.

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

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The Deputy Superintendent of Police,
Ambur,
Vellore District.

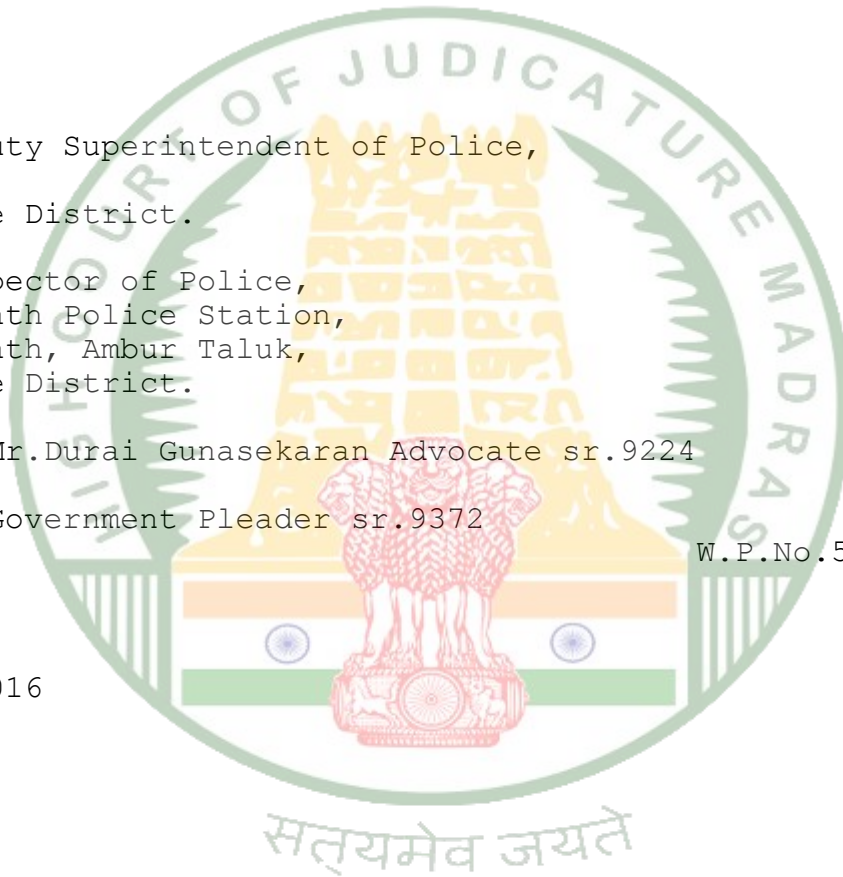
2.The Inspector of Police,
Umarapath Police Station,
Umarapath, Ambur Taluk,
Vellore District.

+1 cc to Mr.Durai Gunasekaran Advocate sr.9224

+1 cc to Government Pleader sr.9372

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