

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.7980 of 2016

B.Pandian

.. Petitioner

Vs.

The Inspector of Police (L&O)
E4, Kalpakkam Police Station
Thirukazhukundram Taluk,
Kancheepuram 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 accord permission to conduct the religious cultural festival for Maha Shivarathiri and Arulmighu Sri Angalaparameswari from 07.03.2016 to 09.03.2016 at No.83, Pudupattinam Fishermen Area, Kalpakkam Post, Thirukazhukundram Taluk, Kancheepuram District-603102, from 27.08.2015 to 30.08.2015.

For Petitioner : Mr.R.Ganesh Kumar

For Respondent : Mr.V.Jayaprakash Narayanan,
Special Govt.Pleader

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 from 07.03.2016 to 09.03.2016 in Maha Shivarathiri and Arulmighu Sri Angalaparameswari festival to be held at No.83, Pudupattinam Fishermen Area, Kalpakkam Post, Thirukazhukundram Taluk, Kancheepuram District, the petitioner made a representation dated 27.02.2016 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 Special Government Pleader appearing for the respondent.

4. Learned Special 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 from 07.03.2016 to 09.03.2016 in Maha Shivarathiri and Arulmighu Sri Angalaparameswari festival to be held at No.83, Pudupattinam Fishermen Area, Kalpakkam Post, Thirukazhukundram Taluk, Kancheepuram District, however, with the following conditions:-

(a) The cultural programme in connection with temple Festival at No.83, Pudupattinam Fishermen Area, Kalpakkam Post, Thirukazhukundram Taluk, Kancheepuram District, to be held from 07.03.2016 to 09.03.2016 between 07.00 p.m. to 11.00p.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.

(h) Similarly, the police is entitled to stop the dance programme, if it exceeds beyond the permitted time; and

(i) The respondent is directed to issue necessary permission, incorporating the above conditions.

No costs.

tsh.

-s/d-

Assistant Registrar (CS-I)

True Copy

Sub-Assistant Registrar

To

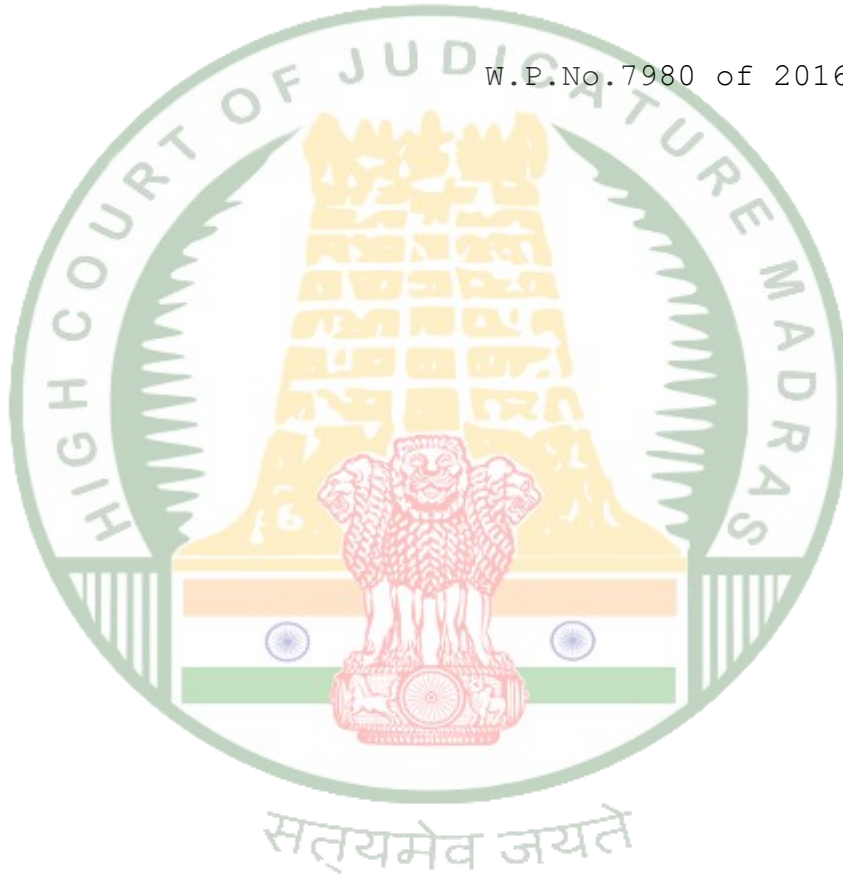
The Inspector of Police (L&O)
E4, Kalpakkam Police Station
Thirukazhukundram Taluk,
Kancheepuram District.

+ 1 cc to Mr.R.Ganeshkumar, Advocate, SR 13639

+ 1 cc to Government Pleader, High Court, Madras SR14009

sns(co)
prk4/3

W.P.No.7980 of 2016



WEB COPY