

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2016

CORAM

THE HON'BLE MR. JUSTICE M.M.SUNDRESH

W.P.No.93 of 2016

K.G.Munisamy

... Petitioner

Vs.

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

... Respondent

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondent to consider the petitioners representation dt 29.12.2015 and grant permission to the petitioner in order to conduct the cultural and adventure program and to give police protection which is schedule to be held on 22.1.2016 in Sri Koothandavar Temple situated at Kurusilapattu Village and Post Vaniyambadi Taluk Vellore District 635 702.

For Petitioner : Mr.D.Jagadeesan

For Respondents: Mr.Govindaswamy,

Additional Government Pleader

ORDER

Seeking permission to conduct a festival program scheduled to be held on 22.01.2016 at Sri Koothandavar Temple situated at Kurusilapattu Village and post Vaniyambadi T.K., Vellore District, the petitioner made a representation dated 29.12.2015 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 festival cultural programme on 22.01.2016

at Sri Koothandavar Temple situated at Kurusilapattu Village and post Vaniyambadi T.K., Vellore District, however, with the following conditions:-

(a)The cultural programme in connection with temple Festival at Sri Koothandavar Temple situated at Kurusilapattu Village and post Vaniyambadi T.K., Vellore District be held on 22.01.2016 between 06.00 p.m and 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 2nd respondent is directed to issue necessary permission, incorporating the above conditions. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

rms

To

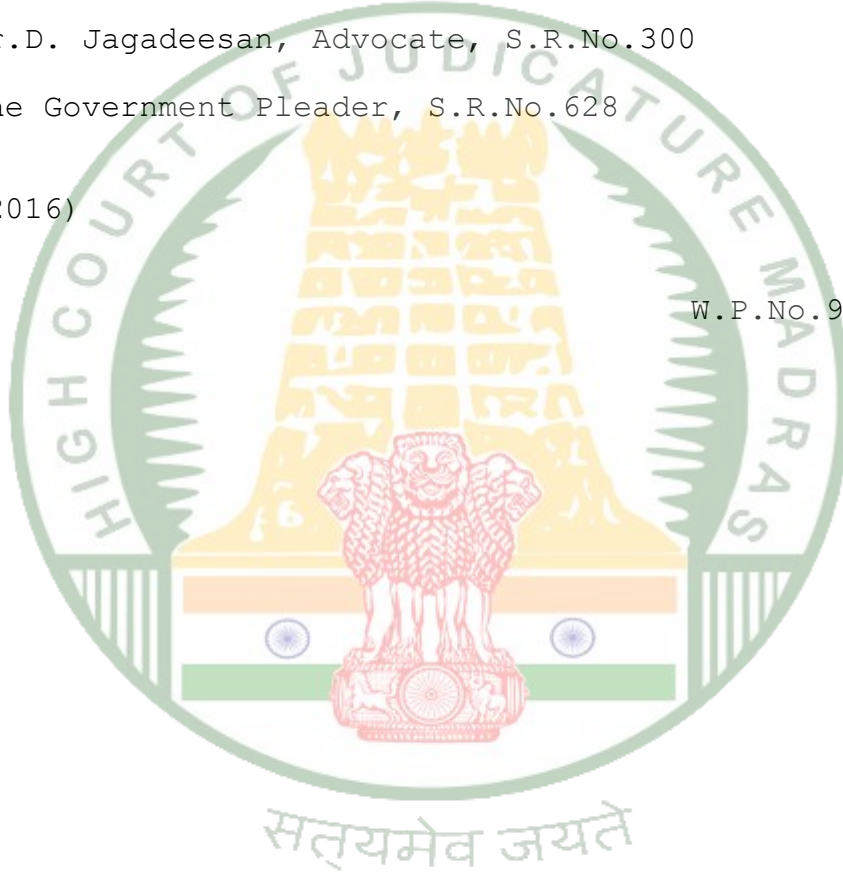
The Inspector of Police,
Kurusilapattu Police Station,
Vellore District.

+1cc to Mr.D. Jagadeesan, Advocate, S.R.No.300

+1cc to the Government Pleader, S.R.No.628

BVR(CO)
EU(06/01/2016)

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