

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.9886 of 2016

S.Appusamy

.. Petitioner

Vs.

State, rep. by
Inspector of Police,
Thingalur Police Station,
Erode District.

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondent to give permission to conduct the dance programme in the event of Arulmighu Mariamman Temple festival on 24.03.2016 at Singanallur Post, Goundapadi via, Perundurai Taluk, Erode.

For Petitioner : Mr.C.S.Saravanan

For Respondent : Mr.S.Navaneethan, Addl.Govt.Pleader

ORDER

Seeking permission to conduct the dance programme in the event of Arulmighu Mariamman Temple festival on 24.03.2016 at Singanallur Post, Goundapadi via, Perundurai Taluk, Erode, the petitioner made a representation dated 14.03.2016 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 the dance programme in the event of to direct the respondent to give permission to conduct the dance programme in

the event of Arulmighu Mariamman Temple festival at Singanallur Post, Goundapadi via, Perundurai Taluk, Erode, on 24.03.2016, however, with the following conditions:-

(a) The dance programme in connection with the event of Arulmighu Mariamman Temple festival at Singanallur Post, Goundapadi via, Perundurai Taluk, Erode, which is scheduled to be held on 24.03.2016, should be held 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.

(h) Similarly, the Police is entitled to stop the cultural programme, if it exceeds beyond the permitted time.

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

No costs.

cs

-s/d-

Assistant Registrar (CS-II)

True Copy

Sub-Assistant Registrar

Copy to
Inspector of Police,
Thingalur Police Station,
Erode District.

+ 1 cc to Govt. Pleader, High Court, Madras SR 17438
rsk(co)
prk21/3

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