

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.11.2017

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THE HONOURABLE Mr.JUSTICE M.S.RAMESH

W.P.No. 30850 of 2017

P.Venkatachalam

... Petitioner

Vs

The Inspector of Police,
Irumbalai Police Station,
Salem District.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus or any other order in the nature of writ, directing the respondent authorities to grant permission to conduct the cultural program and provide protection on 29.11.2017 in Sri Maha Ganapthy Kumbabishegam Festival, at Pethampatti (Melkadu) Village, Murngapatti Post, Salem District - 636 307 representation on 22.11.2017 in a grand manner.

For Petitioner : Mr.R.Ramesh Raja
For Respondent : Mr.Akhil Akbar Ali
Government Advocate

ORDER

Seeking permission to conduct cultural programme in the event of Sri Maha Ganapthy Kumbabishegam Festival, at Pethampatti Pethampatti (Melkadu) Village, Murngapatti Post, Salem District - 636 307, the petitioner made a representation dated 22.11.2017 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 Government Advocate appearing for the respondent.

3. Learned Government Advocate, on instructions, would submit that there is likelihood of arising 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 cultural programme in the event of Sri Maha Ganapthy Kumbabishegam Festival, at Pethampatti Pethampatti (Melkadu) Village, Murngapatti Post, Salem District - 636 307, however, with the following conditions:-

(a) The cultural programme in connection with in the event of Sri Maha Ganapthy Kumbabishegam Festival, at Pethampatti Pethampatti (Melkadu) Village, Murngapatti Post, Salem District - 636 307, shall be conducted on 29.11.2017 between 06.00 p.m. and 11.00 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 shall be played.

(e) No flex boards in support of any political party or communal leader, shall be erected at the premises of the programme.

(f) The function shall not affect either religious or communal harmony and shall be conducted without any discrimination based on caste.

(g) If there is 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 forthwith; and

(h) Similarly, the police is directed to stop the dance programme, if it is played beyond the permitted time limit.

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

No costs.

Sd/-

Asst.Registrar (CS VIII)

/true copy/

Sub Asst. Registrar

rts

To

1. The Inspector of Police,
Irumbalai Police Station,
Salem District.

+1cc to Mr.R.Ramesh Raja, Advocate in sr.no.84551

WP.No.30850 of 2017

RV(CO)

NR 28/11/2017