

IN THE HIGH COURT OF JUDICATURE AT MADRAS**DATED: 05.10.2017****CORAM****THE HONOURABLE Mr.JUSTICE M.S.RAMESH****CrI.OP.No. 20938 of 2017**

V.Srinivasan

.. Petitioner

Vs

1. The District Superintendent of Police,
O/o. District Superintendent of Police,
Nagapattinam District.
2. Deputy Superintendent of Police,
O/o. Deputy Superintendent of Police,
Vedarayanam.
3. The Inspector of Police,
Vedarayanam Police Station,
Nagapattinam District.

.. Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.PC, praying to direct the respondents to give permission to grant permission to conduct the Puratasi Month festival and Cultural and Entertainment at Sri Elumaliyan Swami Tirukkoil such as Adal, Padal, Kolattam and dance programme etc scheduled to be held on 07.10.2017 at 10.00 p.m. by considering the petitioner's representation dated 28.09.2017

For Petitioner : Mr.K.M.Balasubramaniam

For Respondent : Mr.P.Govindarajan,
Additional Public Prosecutor

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ORDER

Seeking permission to conduct cultural programme such as Adal, Padal, Kolattam and dance programme etc in the event of Sri Elumaliyan Swami Tirukkoil, Melakadu, Sembodai, Vedaranyam Taluk, Nagapattinam District, the petitioner made a representation dated 28.09.2017 to the respondents. As the same has not been considered, the present criminal original petition has been filed.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3. Learned Additional Public Prosecutor, 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 criminal original petition is allowed and the petitioner is permitted to conduct the Adal, Padal, Kolattam and dance programme etc, however, with the following conditions:-

(a) The cultural programme in connection with the event of Sri Elumaliyan Swami Tirukkoil, Melakadu, Sembodai, Vedaranyam Taluk, Nagapattinam District shall be conducted on 07.10.2017 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 respondents are directed to issue necessary protection and permission, incorporating the above conditions.

Note: Issue order copy of 06.10.2017

05.10.2017

Index : Yes/No
Internet: Yes/No
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M.S.RAMESH, J.

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To

1. The District Superintendent of Police,
O/o. District Superintendent of Police,
Nagapattinam District.
2. Deputy Superintendent of Police,
O/o. Deputy Superintendent of Police,
Vedarayanam.
3. The Inspector of Police,
Vedarayanam Police Station,
Nagapattinam District
4. The Public Prosecutor,
High Court, Madras.



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