

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.08.2017

CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

W.P.No.20842 of 2017

R.Srinivasan

.. Petitioner

Vs

1.The Superintendent of Police,
Thiruvannamalai District,
Thiruvannamalai.

2.The Inspector of Police,
Desur Police Station,
Vandavasi Taluk,
Thiruvannamalai District.

.. Respondents

Prayer:

The Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, direct to consider the petitioner's representation dated 24.07.2017 by the respondents, consequently direct 1 and 2 respondents to provide necessary police protection to our village temple Sri Patchaimman Temple festival Theemithi Thiruvizha held on 07.08.2017 and 08.08.2017 in connection with Devotional Classical Music programme by both days.

For Petitioner : Mr.T.V.G.Kartheeban,

For Respondents : Mr.D.Vairamoorthy,
Special Government Pleader,

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O R D E R

Seeking permission to conduct cultural programme in the event of Sri Patchaimman Temple festival Theemithi Thiruvizha, Vedal Village, Vandavasai Taluk, the petitioner made a representation dated 24.07.2017 to the respondents. As the same has not been considered, the present petition has been filed.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the

respondents.

3. Learned Special Government Pleader, 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 petition is allowed and the petitioner is permitted to conduct cultural programme in the event of Sri Patchaimman Temple festival Theemithi Thiruvizha, Vedal Village, Vandavasai Taluk however, with the following conditions:-

(a) The cultural programme in connection with in the event of Sri Patchaimman Temple festival Theemithi Thiruvizha, Vedal Village, Vandavasai Taluk shall be conducted on 07.08.2017 and 08.08.2017 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 second respondent is directed to issue necessary permission, incorporating the above conditions.

No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

mfa

To

1.The Superintendent of Police,
Thiruvannamalai District,
Thiruvannamalai.

2.The Inspector of Police,
Desur Police Station,
Vandavasi Taluk,
Thiruvannamalai District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.T.V.G.Kartheesan, advocate SR.No.559436

W.P.No.20842 of 2017

RR(CO)
GN(04/08/2017)



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