

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.05.2017

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THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.12330 of 2017

S.Prabakaran

.. Petitioner

Vs

The Inspector of Police,
Sendemengalam Police Station,
Namakkal District.

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus directing the respondent to give permission to conduct the cultural programme at Rajarajasolan Peruudaiyar auditorium, Pottanam Village, Senthamangalam Taluk, Namakkal District in connection with the festival of Sri Mariamman Thiruvila on 19.05.2017 representation dated 20.04.2017.

For Petitioner : Mr.S.Sankar

For Respondent : Mr.A.N.Thambidurai,
Special Government Pleader

O R D E R

Seeking permission to conduct cultural programme in the event of Sri Mariamman Kovil Thiruvila, at Rajarajasolan Peruudaiyar auditorium, Pottanam Village, Senthamangalam Taluk, Namakkal District, on 19.05.2017, the petitioner made a representation dated 20.04.2017 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 Special Government Pleader appearing for the respondent.

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 writ petition is allowed and the petitioner is permitted to conduct cultural programme in the event of Sri Mariamman Kovil Thiruvila, at Rajarajasolan Peruudaiyar auditorium, Pottanam Village, Senthamangalam Taluk, Namakkal District, on 19.05.2017, however, with the following conditions:-

(a) The cultural programme in connection with in the event of Sri Mariamman Kovil Thiruvila, at Rajarajasolan Peruudaiyar auditorium, Pottanam Village, Senthamangalam Taluk, Namakkal District, shall be conducted on 19.05.2017 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 (V.O)

/true copy/

Sub Asst. Registrar

gua/ars

To

1. The Inspector of Police,
Sendemengalam Police Station,
Namakkal District.

2. The Public Prosecutor,
High Court, Madras

+lcc to M/s.S.Sankar, Advocate sr.37054

+lcc to Government Pleader sr.37354

WP.No.12330 of 2017

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