

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.05.2017

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THE HONOURABLE Mr.JUSTICE M.S.RAMESH

W.P.No.12331 of 2017

P.Rajakumar

.. Petitioner

Vs

1. The Superintendent of Police,
Dharmapuri District,
Dharmapuri.
2. The Inspector of Police,
A. Pallipatti Police Station,
Dharmapuri District. .. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus to call for the records on the file of the second respondent dated nil and quash the same and further direct the second respondent to grant permission to conduct the Adal Padal Cultural Programme on 12.05.2017 at Gandhi Nagar, Pappampadi, Pappireddipatti Taluk, Dharmapuri District.

For Petitioner : Mr.P.Kannan Kumar

For Respondents : Mr.K.Balamurugan,
Government Advocate

O R D E R

Seeking permission to conduct cultural programme in the event of Arulmighu Sri Mariamman Temple festival, Gandhi Nagar, Pappampadi, Pappireddipatti Taluk, Dharmapuri District, the petitioner made a joint representation dated 28.04.2017 to the 2nd 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 Arulmighu Sri Mariamman Temple festival, Gandhi Nagar, Pappampadi, Pappireddipatti Taluk, Dharmapuri District, however, with the following conditions:-

(a) The cultural programme in connection with in the event of Arulmighu Sri Mariamman Temple festival, Gandhi Nagar, Pappampadi, Pappireddipatti Taluk, Dharmapuri District, shall be conducted on 12.05.2017 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 2nd respondent is directed to issue necessary permission, incorporating the above conditions.

No costs.

Sd/-

Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

rsi/gya

To

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

2. The Inspector of Police,
A. Pallipatti Police Station,
Dharmapuri District.

+1cc to Mr.P.Kannan Kumar,Advocate sr.37235

W.P.No.12331 of 2017

rsy(co)
ss(11/5/2017)



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