

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.05.2017

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH

W.P.No.13363 of 2017

S.P.Pachiyappan

... Petitioner

v.

1. The Superintendent of Police,
Dharmapuri District.

2. The Inspector of Police,
Karimangalam Police Station,
Karimangalam Taluk,
Dharmapuri District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the first and second respondent to consider and pass orders on the application dated 18.05.2017 made by the petitioner which the time frame as may be fixed by this Hon'ble Court, much before the fixed programme which is to be held on 31.05.2017.

For Petitioner : Mr.S.Mayilnathan

For Respondent : Mr.P.V.Selvakumar
Addl.Govt.Pleader

O R D E R

The petitioner has filed the above Writ Petition to issue a writ of mandamus, directing the respondents to give permission to conduct the Mandappa Kattalai festival schedule to be held on 31.05.2017 in connection with Sri Mandu Mariyamman temple by considering his representation dated 18.05.2017.

2. The learned Additional Government Pleader, takes notice for the respondents. By consent, the writ petition itself is taken up for final disposal.

3.Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents.

4. The learned counsel appearing for the petitioner would submit that as the aforesaid festival is celebrated in a peaceful manner by the villagers, there will be no untoward incident on account of this celebration.

5. The learned Additional Government Pleader appearing for the respondents, on instructions, would submit that the permission sought for by the petitioner may be granted with appropriate and stringent conditions for maintaining law and order and also to avoid any untoward incident during performance of such programme.

6. In view of the submission made by the learned Additional Government Pleader, the Writ Petition is disposed of, with a direction to the respondent concerned to accord permission and Police Protection to conduct the Cultural Programme in connection with the above said festival of the said Temple for above said date between 7.00 p.m and 10.00 p.m., by incorporating the following conditions:

- a) Obscene dance/songs/vulgar dialogues should be avoided during the programme and the performers must be decently clothed;
- b) Songs conveying obscene double meaning should not be played in order to avoid awkwardness;
- c) No dance or song, touching upon the conduct of any political party or community or caste be played;
- d) No flex boards in support of any political party or religious leader be erected;
- e) The programme shall be conducted without showing any discrimination based on caste/community etc., and it shall be ensured that it is towards promoting communal harmony;
- f) The Participants of the programme shall not intake any kind of intoxicating substance or liquor during the programme;
- g) In respect of untoward incident occurring, the organizers of the programme be responsible for the same;
- h) The Organizers shall have the names and other particulars of performers; and
- i) If there is any violation of any of the conditions imposed, the concerned Police Officer is at liberty to take necessary action, as per law and stop such performance. No costs.

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Asst.Registrar (VO)

Sd/-

/true copy/

Sub Asst. Registrar

To

1. The Superintendent of Police,
Dharmapuri District.
2. The Inspector of Police,
Karimangalam Police Station,
Karimangalam Taluk,
Dharmapuri District.

+1cc to M/s. S.Mayilnathan, Advocate in SR.No.38001

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ss(co)
cs/29/05/17



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