

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2017

CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

Cr1.O.P.No.24309 of 2017

S.Sivan

... Petitioner

Vs

1. The Superintendent of Police,
Dharmapuri District.

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

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, praying to issue an order, directions, directing the first and second respondents to consider and pass orders on the application dated 02.11.2017 made by the petitioner which the time frame as may be fixed by this Court, much before the fixed programme which is to be held on 23.11.2017.

For Petitioner : Mr.S.Mayilnathan

For Respondents : Mr.C.Iyyapparaj
Additional Public Prosecutor

O R D E R

Seeking permission to conduct cultural programme in the event of Sri Kanavai Muniappan Temple at Vengattanur Village, Solaikkottai Post, Dharmapuri Taluk, Dharmapuri District, the petitioner made a representation dated 02.11.2017 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 respondents.

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, this petition is allowed and the petitioner is permitted to conduct cultural programme in the event of Sri Kanavai Muniappan Temple at Vengattanur Village, Solaikkottai Post, Dharmapuri Taluk, Dharmapuri District, however, with the following conditions:-

(a) The cultural programme in connection with the event of Sri Kanavai Muniappan Temple at Vengattanur Village, Solaikkottai Post, Dharmapuri Taluk, Dharmapuri District, shall be conducted on 23.11.2017 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.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rts

To

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

3. The Public Prosecutor,
High Court, Madras.

+1cc to M/s.S.Mayilnathan, Advocate, S.R.No.80185

CrI.O.P.No.24309 of 2017

CP(CO)
CA(14/11/2017)



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