

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 31.10.2017

CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

W.P.No.27819 of 2017

S.Dhamodharan

.. Petitioner

Vs

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

2.The Deputy Superintendent of Police,
Namakkal District,
Namakkal.

3.The Inspector of Police,
Town Police Station,
Tiruchengode Taluk & District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus to direct the respondent to give permission and police protection to conduct a festival program between 6.00 p.m. to 11.00 p.m. on 04.11.2017 at "Arulmighu Sri Maha Mariamman Thirukoil" at Thondikaradu, Tiruchengode Taluk, Namakkal District by considering the petitioner's representation dated 26.09.2017.

For Petitioner : Mr.C.Paraneedharan

For Respondents : Mr.S.Babu,
Government Advocate.

O R D E R

Seeking permission to conduct cultural programme in the event of Arulmighu Sri Maha Mariamman Thirukoil at Thondikaradu, Tiruchengode Taluk, Namakkal District, the petitioner made a representation dated 26.09.2017 to the respondents. 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 respondents.

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 Maha Mariamman Thirukoil at Thondikaradu, Tiruchengode Taluk, Namakkal District, however, with the following conditions:-

(a) The cultural programme in connection with in the event of Arulmighu Sri Maha Mariamman Thirukoil at Thondikaradu, Tiruchengode Taluk, Namakkal District, shall be conducted on 04.11.2017 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 third respondent is directed to issue necessary permission, incorporating the above conditions.

No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

rts

To

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

2.The Deputy Superintendent of Police,
Namakkal District,
Namakkal.

3.The Inspector of Police,
Town Police Station,
Tiruchengode Taluk & District.

4.The Public Prosecutor,
High Court, Madras.

+2cc to Mr.C.Paraneedharan, Advocate SR.No.77534(02/11/2017)

GMR(CO)
GN(01/11/2017)

WP.No. 27819 of 2017



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