

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2017

CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

W.P.No. 27859 of 2017

R.Shanmugam

.. Petitioner

Vs

1.Superintendent of Police,
District Superintendent Police Office,
Nethimedu Salem.

2.The Inspector of Police,
Sangagri Police Station,
Sangagri, Salem District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus directing the respondent to consider the representation dated 26.10.2017 and give permission to conduct the dance program on 09.11.2017 at about 7.00 p.m. to 10.30 p.m. to be held at Chellandiamman and Mariamman Temple situated at Vaikuntham Village, Sangagri Taluk, Salem District.

For Petitioner : Mr.B. Vasudevan

For Respondent : Mr.S.Babu

Government Advocate

ORDER

Seeking permission to conduct Aadal-Padal Cultural Programs in the event of Village Temple namely Chellandiamman and Mariamman Temple situated at Vaikuntham Village, Sangagri Taluk, Salem District., the petitioner made a representation dated 26.10.2017 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 Aadal-Padal Cultural Programs in the event of Village Temple namely Chellandiamman and Mariamman Temple situated at Vaikuntham Village, Sangagri Taluk, Salem District, however, with the following conditions:-

(a) The Aadal-Padal Cultural Programs in connection with in the event of Village Temple namely Chellandiamman and Mariamman Temple situated at Vaikuntham Village, Sangagri Taluk, Salem District, shall be conducted on 09.11.2017 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 respondent is directed to issue necessary permission, incorporating the above conditions.

No costs.

WEB COPY

Sd/-
Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

nl/rts

To

1.The Superintendent of Police,
District Superintendent Police Office,
Nethimedu Salem.

2.The Inspector of Police,
Sangagri Police Station,
Sangagri, Salem District.

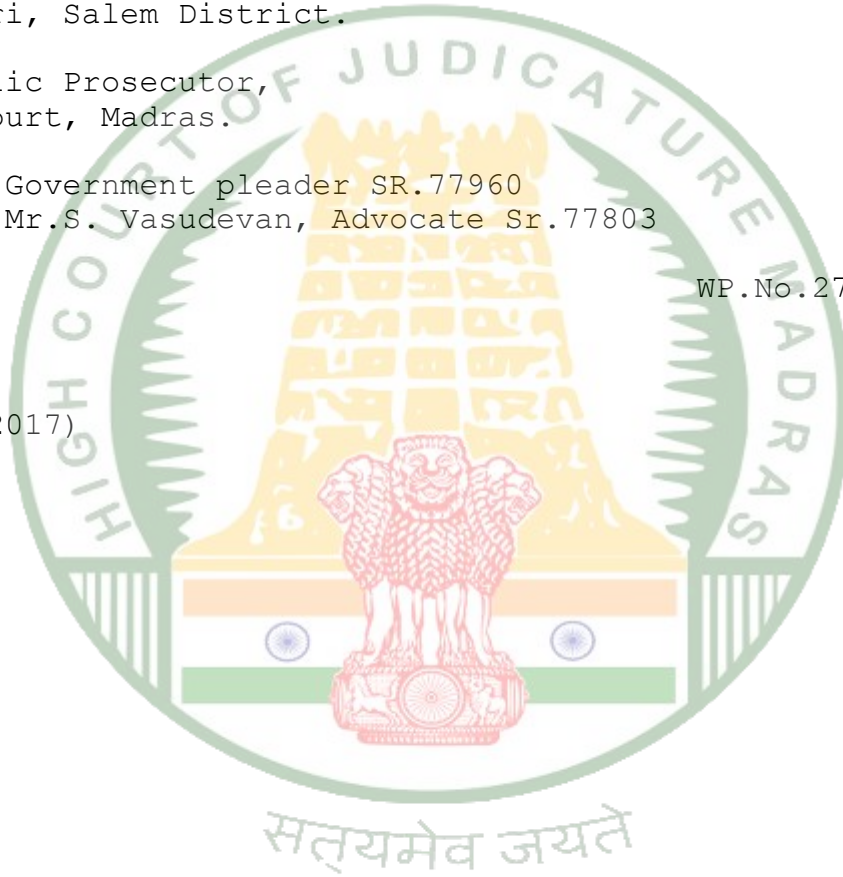
3.The Public Prosecutor,
High Court, Madras.

+ 1 cc to Government pleader SR.77960

+ 1 cc to Mr.S. Vasudevan, Advocate Sr.77803

WP.No.27859 of 2017

CS-V
EU(07/11/2017)



WEB COPY