

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2017

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THE HONOURABLE Mr.JUSTICE M.S.RAMESH

W.P.No.18559 of 2017

A.Udayakumar

.. Petitioner

Vs

The Inspector of Police,
Thalaivasal Police Station,
Thalaivasal,
Salem District.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to directing the respondent authority to give police protection and permission to conduct Cultural Programme (Adal Padal) in Manivilundam Vadakku Pudhur Arulmigu Sree Mariamman Temple Festival, at Attur Taluk, Salem District on 12.08.2017 by considering the petitioner's representation dated 17.07.2017.

For Petitioner : Mr.A.Sathishkumar

For Respondent : Mr.D.Vairamoorthy
Special Government Pleader

ORDER

Seeking permission to conduct cultural programme in the event of Manivilundam Vadakku Pudhur Arulmigu Sree Mariamman Temple Festival, at Attur Taluk, Salem District, the petitioner made a representation dated 17.07.2017 to the 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 Special Government Pleader appearing for the respondent.

3. Learned Special Government Pleader, 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 Manivilundam Vadakku Pudhur Arulmigu Sree Mariamman Temple Festival, at Attur Taluk, Salem District, however, with the following conditions:-

(a) The cultural programme in connection with in the event of Manivilundam Vadakku Pudhur Arulmigu Sree Mariamman Temple Festival, at Attur Taluk, Salem District, shall be conducted on 12.08.2017 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.

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

To

1. The Inspector of Police,
Thalaivasal Police Station,
Thalaivasal,
Salem District.
2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.A.Sathishkumar, Advocate in sr.no.51671

WP.No.18559 of 2017

NR 26/07/2017