

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.07.2017

CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

W.P.No. 19400 of 2017

S.Muniraj

.. Petitioner

Vs

1. The Superintendent of Police,  
Dharmapuri District.
2. The Inspector of Police,  
Karimangalam Police Station,  
Karimanglam Taluk,  
Dharmapuri District - 635 111. .. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus to direct respondents to give permission and police protection to conduct a cultural programme in pursuant to Pongal Festival of the Sri Vinayagar Chathurthi Temple at Bommahalli Village, Karimangalam Taluk, Dharmapuri District on 26.08.2017 by considering the petitioner's representation dated 23.07.2017.

For Petitioner : M/s.S.Mayilnathan

For Respondents : Mr.D.Vairamoorthy,  
Special Government Pleader

सत्यमेव जयते  
O R D E R

Seeking permission to conduct cultural programme in the event of Pongal Festival of the Sri Vinayagar Chathurthi Temple at Bommahalli Village, Karimangalam Taluk, Dharmapuri District, the petitioner made a representation dated 23.07.2017 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 Special Government Pleader appearing for the respondents.

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 Pongal Festival of the Sri Vinayagar Chathurthi Temple at Bommahalli Village, Karimangalam Taluk, Dharmapuri District, however, with the following conditions:-

(a) The cultural programme in connection with in the event of Pongal Festival of the Sri Vinayagar Chathurthi Temple at Bommahalli Village, Karimangalam Taluk, Dharmapuri District, shall be conducted on 26.08.2017 between 07.00 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 respondents are directed to issue necessary permission, incorporating the above conditions.  
No costs.

Sd/-  
Asst.Registrar (CS IV )

/true copy/

Sub Asst. Registrar

ak

To

1. The Superintendent of Police,  
Dharmapuri District.
2. The Inspector of Police,  
Karimangalam Police Station,  
Karimanglam Taluk,  
Dharmapuri District - 635 111.
3. The Special Government Pleader,  
High Court, Madras.

+1cc to the Government Pleader Sr. 54414  
+1cc to M/S.S.Malilnathan, Advocate Sr. 53566

W.P.No. 19400 of 2017

AR(IV)  
VR(03/08/2017)

WEB COPY