

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.07.2017

CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

W.P.No. 19406 of 2017

M. Balaiya

.. Petitioner

Vs

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

2. The Inspector of Police,
Puduchattaram Police Station,
Cuddalore District

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus to direct respondents to give the Bandobust permission and police protection to conduct a cultural programme in Sri Koondhalamman Koil Festival of Alapakkam Post, Kuravanmedu, Cuddalore Taluk and District on 04.08.2017 by considering the petitioner's representation dated 21.07.2017.

For Petitioner : M/s.M.Selvam
For Respondents : Mr.D.Vairamoorthy,
Special Government Pleader

O R D E R

Seeking permission to conduct cultural programme in the event of Sri Koondhalamman Koil Festival of Alapakkam Post, Kuravanmedu, Cuddalore Taluk and District, the petitioner made a representation dated 21.07.2017 to the 2nd 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 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 Sri Koondhalamman Koil Festival of Alapakkam Post, Kuravanmedu, Cuddalore Taluk and District, however, with the following conditions:-

(a) The cultural programme in connection with in the event of Pongal Festival of Sri Koondhalamman Koil Festival of Alapakkam Post, Kuravanmedu, Cuddalore Taluk and District, shall be conducted on 04.08.2017 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 2nd respondent is directed to issue necessary permission, incorporating the above conditions.

No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

ak

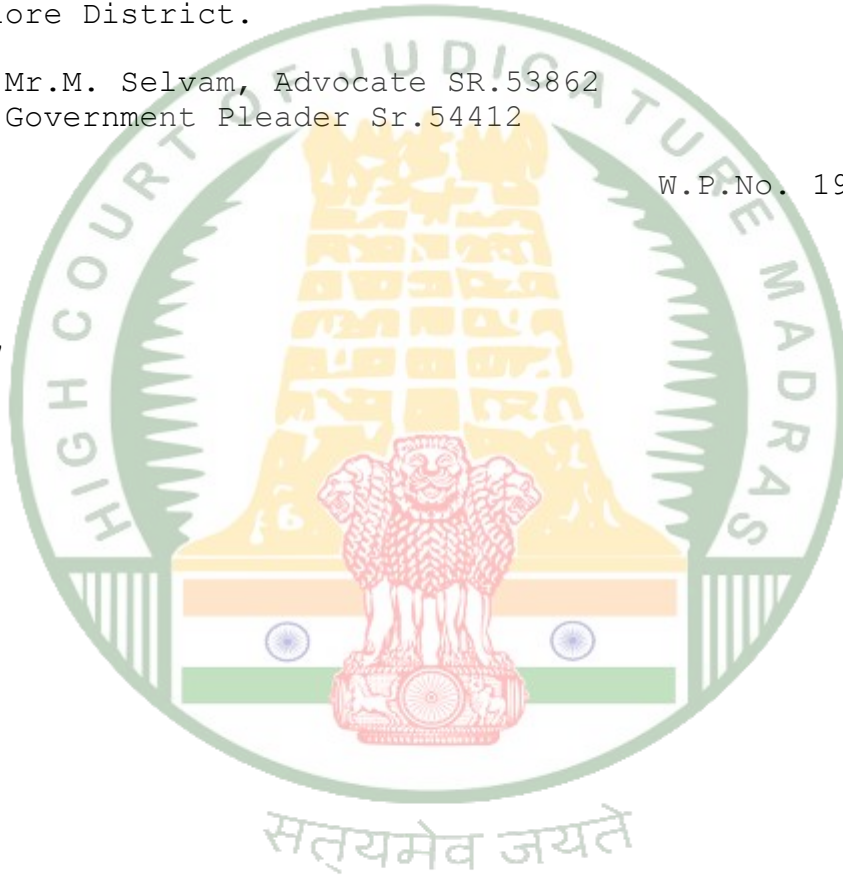
To

1. The Superintendent of Police,
Cuddalore District,
Cuddalore.
2. The Inspector of Police,
Puduchattaram Police Station,
Cuddalore District.

+ 1 cc to Mr.M. Selvam, Advocate SR.53862
+ 1 cc to Government Pleader Sr.54412

W.P.No. 19406 of 2017

CS-V
EU 2.08.17



WEB COPY