IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2018

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.20106 of 2018

L.Tamilarasan .. Petitioner

-vs-

1.The Superintendent of Police
Dharmapuri, Dharmapuri District.

2.The Inspector of Police
Palakkodu Police Station
PalakkoduTaluk
Dharmapuri District. .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the first and second respondents to consider and pass orders on the representation dated 19.07.2018 made by the petitioner within the time frame as may be fixed by this Court, much before the fixed programme which is to be held on 08.08.2018.

For Petitioner :: Mr.S.Mayilnathan

For Respondents :: Mr.M.Jothikumar
Addl. Govt. Pleader

ORDER

The petitioner seeks a direction to the respondents to grant permission to conduct the cultural programme at Sri Mariamman Temple Festival at Mangalapatti Village, K.Chettihalli Post, Palakkodu Taluk, Dharmapuri District on 08.08.2018 considering the petitioner's representation dated 19.07.2018.

2. The learned counsel appearing for the petitioner submitted that the petitioner is a resident of Mangalapatti Village, K.Chettihalli Post, Palakkodu Taluk, Dharmapuri District and also claims to be one of the members of the Vizha Commttee. Since the committee has been conducting the cultural programmes as a part of temple festival every year in a peaceful manner without any untoward incident in the past, he has submitted a representation to the respondents on 19.07.2018 seeking permission to conduct the cultural programme on

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08.08.2018. As the said representation has not been considered by the respondents so far, the petitioner is before this Court.

3. The learned Additional Government Pleader appearing for the respondents, on instructions, would submit that the permission sought for by the petitioner may be granted with appropriate stringent conditions for maintaining law and order and also to avoid any untoward incident during the performance of such programme.

4. In view of the submission made by the learned Additional Government Pleader for the respondents, this writ petition is disposed of with the following directions:-

(a) The cultural programme in connection with Sri Mariamman Temple Festival at Mangalapatti Village, K.Chettihalli Post, Palakkodu Taluk, Dharmapuri District by considering the petitioner's representation dated 19.07.2018 be held on 08.08.2018 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 the youths.

(d) No dance or songs, touching upon any political party or religion, community or caste 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 should not affect either religious or communal harmony and shall be conducted without any discrimination based on caste.

(g) If there is any 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.

(h) Similarly, the Police is directed to stop the dance programme, if it is played beyond the permitted time limit, and

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(i) The respondents are directed to issue necessary permission incorporating the above conditions.

No costs.

-s/d-
Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

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To

1.The Superintendent of Police
Dharmapuri, Dharmapuri District.

2.The Inspector of Police
Palakkodu Police Station
PalakkoduTaluk
Dharmapuri District.

+1 CC to Mr.S.Mayilnathan, Advocate sr 53073.

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