

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2018

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.10143 of 2018

K.Selvakumar

.. Petitioner

-VS-

State rep. by the Inspector of Police,
Thammampatty Police Station,
Gangavalli Taluk
Salem District.

.. Respondent

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondent authority to give permission to conduct Cultural Programme during Sri Mariamman Kovil Thiruvizha at Selvanagar, 14th Ward, Thammampatty Post, Salem District on 28.04.2018 by considering the petitioner's representation dated 19.4.2018.

For Petitioner

::

Mr.P.K.Shivakumar

For Respondent

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Mr.S.N.Parthasarathy,
Government Advocate

ORDER

The petitioner seeks a direction to the respondents to grant permission to conduct cultural programme during Sri Mariamman Kovil Thiruvizha at Selvanagar, 14th Ward, Thammampatty Post, Salem District on 28.04.2018 by

considering the petitioner's representation dated 19.4.2018.

2. The learned counsel appearing for the petitioner submitted that the petitioner is a resident of Salem Taluk and District and also claims to be one of the members of Vizha Commtee. 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 respondent on 19.04.2018 seeking permission to conduct the cultural programme on 28.04.2018. As the said representation has not been considered by the respondent so far, the petitioner is before this Court.

3. The learned Government Advocate appearing for the respondent, 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 Government Advocate for the respondent, this writ petition is disposed of with the following directions:-

(a) The cultural programme in connection with Sri Mariamman Kovil Thiruvizha at Selvanagar, 14th Ward, Thammampatty Post, Salem District by considering the petitioner's representation dated 19.4.2018 be held on 28.04.2018 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

(i) The respondent is directed to issue necessary permission incorporating the above conditions.

No costs.

सत्यमेव जयते 24.04.2018

Issue copy on 27.4.2018

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T.RAJA, J.

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To

The Inspector of Police,
Thammampatty Police Station,
Gangavalli Taluk
Salem District.



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