IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2018

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.10281 of 2018

K.Mohan .. Petitioner

-vs-

The Inspector of Police
Malasamuthiram Police Station,
Namakkal 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 the cultural programme (Adal Padal) at Pallipatti Arulmighu Mariamman Temple Festival at Thiruchengodu Taluk, Namakkal District on 26.4.2018 by considering the petitioner's representation dated 19.4.2018.

For Petitioner :: Mr.R.P.Murugan Raja

For Respondent :: Mr.V.Jayaprakash Narayanan,
Special Govrnment Pleader

ORDER

The petitioner seeks a direction to the respondent to grant permission to conduct the cultural programme in Pallipatti Arulmighu Mariamman Temple Festival at Thiruchengodu Taluk, Namakkal District on 26.4.2018 by considering the petitioner's representation dated 19.4.2018.

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2. The learned counsel appearing for the petitioner submitted that the petitioner is a resident of Thiruchengodu Taluk, Namakkal District and also claims to be the Secretary of 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 respondent on 19.04.2018 seeking permission to conduct the cultural programme on 26.04.2018. As the said representation has not been considered by the respondent so far, the petitioner is before this Court.

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

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(a) The cultural programme in connection with Pallipatti Arulmighu Mariamman Temple Festival at Thiruchengodu Taluk, Namakkal District by considering the petitioner's representation dated 19.4.2018 be held on 26.04.2018 between 06.00 p.m., and 11.00 p.m.

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(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.

Speaking/Non speaking order 24.04.2018

Index : yes/no

Issue copy on 25.4.2018

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To
The Inspector of Police
Malasamuthiram Police Station,
Namakkal District.

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T.RAJA, J.

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24.04.2018

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