

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2018

CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

W.P.No.4360 of 2018

V.K.Rajendran

.. Petitioner

Vs

The Inspector of Police,
Sankari Police Station,
Sankari, Salem District.

... Respondent

Prayer: Writ Petition filed under Section 226 of the Constitution of India, praying to issue a writ of Mandamus directing the respondent to grant permission to conduct cultural program scheduled to be held on 01.03.2018 in Arulmigu Sakthi Mariamman Koil situated at V.N.Palayam, Sankari Post & Taluk, Salem District by considering the petitioner's representations dated 15.02.2018 & 26.02.2018.

For Petitioner : M/s.R.M.Marudhachalamurthy

For Respondent : Mr.D.Raja
Additional Government Pleader

O R D E R

Seeking permission to conduct cultural programme in the event of Arulmigu Sakthi Mariamman Koil Situated at V.N.Palayam, Sankari Post & Taluk, Salem District the petitioner made a representations dated 15.02.2018 and 26.02.2018 to the 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 Additional Government Pleader appearing for the respondent.

3. Learned Additional 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 , however, with the following conditions:-

(a) The cultural programme in connection with the event of Arulmigu Sakthi Mariamman Koil Situated at V.N.Palayam, Sankari Post & Taluk, Salem District, shall be conducted on 01.03.2018 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 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 respondent is directed to issue necessary protection and permission, incorporating the above conditions.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
Sankari Police Station,
Sankari, Salem District.

2. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.R.Marudhachalamurthy, Advocate, S.R.No.14886

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RRK(28/02/2018)



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