

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2018
CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

W.P.No.7366 of 2018

S.Senthil

.. Petitioner

Versus

The Inspector of Police,
Maghudanchavadi Police Station,
Maghudanchavadi, Sankagiri Taluk,
Salem District.

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the respondent to give permission to conduct the Cultural and entertainment program like Theru Koothu, Nadagam, Drama, Karakattam, Oyilattam, Nariyattam, Vandi Vesam, Light Music and Adal Padal dance programs etc schedule to be held on 04.04.2018 at Arulmigu Muthu Mariamman temple at Netaiyanoor, Sankagiri Taluk, Salem District as per the petitioner representation dated 22.03.2018 by giving police protection to conduct the above said program.

For Petitioner : Mr.M.Kalyanasundaram,
Senior Counsel
for M/s.Star Associates

For Respondent : Mr.D.Raja
Additional Government Pleader

O R D E R

Seeking permission to conduct cultural programme in the event of Arulmigu Muthu Mariamman temple at Netaiyanoor, Sankagiri Taluk, Salem District, the petitioner made a representations dated 22.03.2018 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 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 with the following conditions:-

(a) The cultural programme in connection with in the event of Arulmigu Muthu Mariamman temple at Netaianoor, Sankagiri Taluk, Salem District, shall be conducted on 04.04.2018 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 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 permission, incorporating the above conditions. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

klt

To

The Inspector of Police,
Maghudanchavadi Police Station,
Maghudanchavadi, Sankagiri Taluk,
Salem District.

+1cc to M/s.Star Associates, Advocate, S.R.No.23744

+1cc to the Government Pleader, S.R.No.25202

WP.No.7366 of 2018

GJ(CO)

RRK(27/04/2018)



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