

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.10614 of 2018

L.Rajasekaran

.. Petitioner

-vs-

1. The Superintendent of Police,
Office of the Superintendent of Police,
Dharmapuri District.

2. The Inspector of Police,
Perumpaalai Police Station,
Dharmapuri District-636 811.

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to grant permission and protection for the Cultural Program (Orchestra and Dancing) in Sree Mari Amman Kovil Festival at Kodalpatty Thali Alli Village, Kalappampadi Post, Dharmapuri District in which planned to be held on 02.05.2018.

For Petitioner :: Mr.M.Samuel Raja

For Respondents :: Mr.V.Jayaprakash Narayanan,
for RR1&2 Special Government Pleader

ORDER

The petitioner seeks a direction to the respondents to grant permission to conduct the cultural programme (Orchestra and Dancing) in Sree Mari Amman Kovil Festival at Kodalpatty Thali Alli Village, Kalappampadi Post, Dharmapuri District on 2.5.2018 by considering the petitioner's representation dated 18.4.2018 to the 2nd respondent.

2. The learned counsel appearing for the petitioner submitted that the petitioner is a resident of Kalappampadi, Dharmapuri District and also claims to be one of the members of the 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 2nd respondent on 18.04.2018 seeking permission to conduct the cultural programme

on 02.05.2018. As the said representation has not been considered by the 2nd respondent so far, the petitioner is before this Court.

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

(a) The cultural programme in connection with Sree Mari Amman Kovil Festival at Kodalpatty Thali Alli Village, Kalappampadi Post, Dharmapuri District by considering the petitioner's representation dated 18.04.2018 be held on 02.05.2018 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 2nd respondent is directed to issue necessary permission incorporating the above conditions.
No costs.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

tsi

To

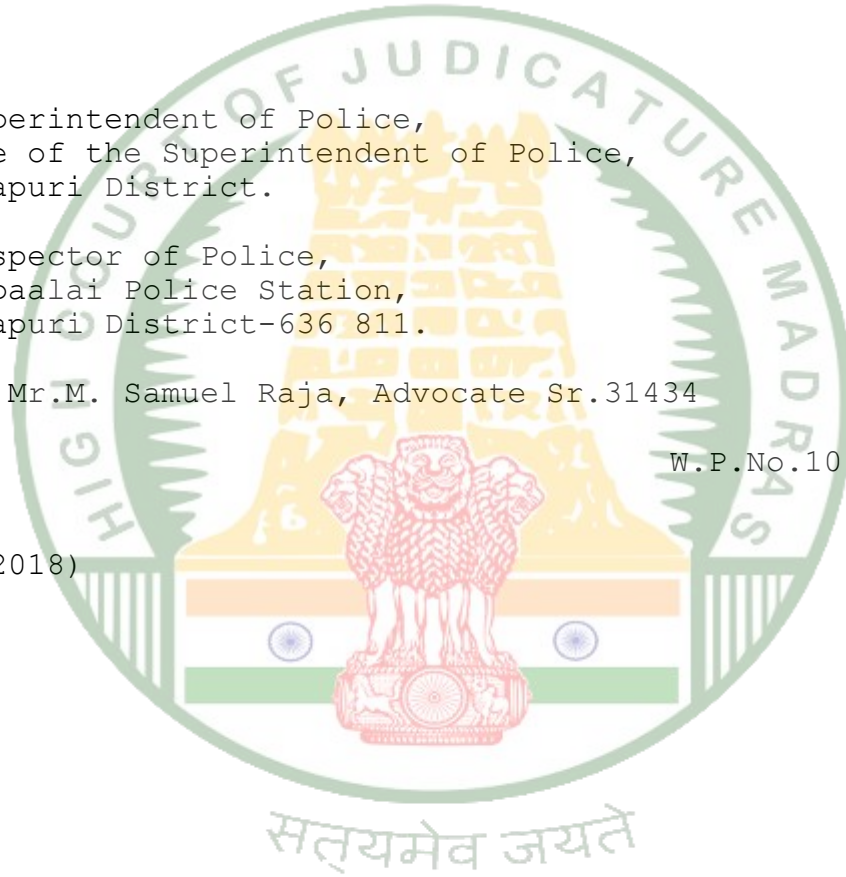
1. The Superintendent of Police,
Office of the Superintendent of Police,
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2. The Inspector of Police,
Perumpaalai Police Station,
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+ 1 cc to Mr.M. Samuel Raja, Advocate Sr.31434

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VBA (CO)
EU (28/04/2018)



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