IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.04.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.8657 of 2018

M.K.Ponnusamy .. Petitioner

-vs-

1. The Superintendent of Police,
   Namakkal.

2. The Inspector of Police,
   Namakkal Police Station,
   Namakkal District. .. 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 to conduct the cultural events and to perform the Dance Programme scheduled to be conducted on 24.4.2018 by considering the representation of the petitioner dated 29.3.2018.

For Petitioner :: Mr.K.Selvakumar

For Respondents :: Ms.K.Bhuvaneswari,
Addl. Govt. Pleader

WEB COPY

ORDER

The petitioner seeks a direction to the respondents to grant permission to conduct the cultural programme in E.B. Colony Arulmigu Maha Mariamman Temple Festival at E.B.Colony, Namakkal on 24.4.2018 by considering the petitioner's representation dated 29.03.2018.

http://www.judis.nic.in

2. The learned counsel appearing for the petitioner submitted that the petitioner is a resident of E.B.Colony, Paramathi Road, Namakkal 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 respondents on 29.03.2018 seeking permission to conduct the cultural programme on 24.04.2018. As the said representation has not been considered by the respondents so far, the petitioner is before this Court.

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

WEB COPY

(a) The cultural programme in connection with E.B. Colony Arulmigu Maha Mariamman Temple Festival at E.B.Colony, Namakkal by considering the petitioner's representation dated 29.3.2018 be held on 24.04.2018 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.

http://www.judis.nic.in

(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.

11.04.2018

Speaking/Non speaking order
Index : yes/no
Issue copy on 12.04.2018
tsi

WEB COPY

http://www.judis.nic.in

T.RAJA, J.

tsi

To

1. The Superintendent of Police,
   Namakkal.

2. The Inspector of Police,
   Namakkal Police Station,
   Namakkal District.

W.P.No.8657 of 2018

WEB COPY

11.04.2018

http://www.judis.nic.in