

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.8706 of 2018

K.Ayyanar

.. Petitioner

-vs-

1. The Superintendent of Police,
Salem, Salem District.
2. The Inspector of Police,
Mallur Police Station,
Salem Taluk, Salem District. ... Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the 1st and 2nd respondents to consider and pass orders on the application dated 6.3.2018 made by the petitioner for the programme which is to be held on 13.4.2018.

For Petitioner :: Mr.S.Mayilnathan

For Respondents :: Mr.S.N.Parthasarathy,
Government Advocate

ORDER

The petitioner seeks a direction to the respondent to grant permission to conduct the cultural programme in Poovaiamman Temple Festival at Vengampatti Village, Mallur Post, Salem Taluk, Salem District, on 13.4.2018 by considering the petitioner's representation dated 06.03.2018.

2. The learned counsel appearing for the petitioner submitted that the petitioner is a resident of Vengampatti Village 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 respondent on 06.03.2018 seeking permission to conduct the cultural programme on 13.04.2018. As the said representation has not been considered by the respondent so far, the petitioner is before this Court.

3. The learned Government Advocate 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:-

(a) The cultural programme in connection with Poovaiamman Temple Festival at Vengampatti Village, Mallur Post, Salem Taluk, Salem District by considering the petitioner's representation dated 6.3.2018 be held on 13.04.2018 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 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/-
Asst.Registrar (CS IX)

/true copy/

Sub Asst. Registrar

tsi

To

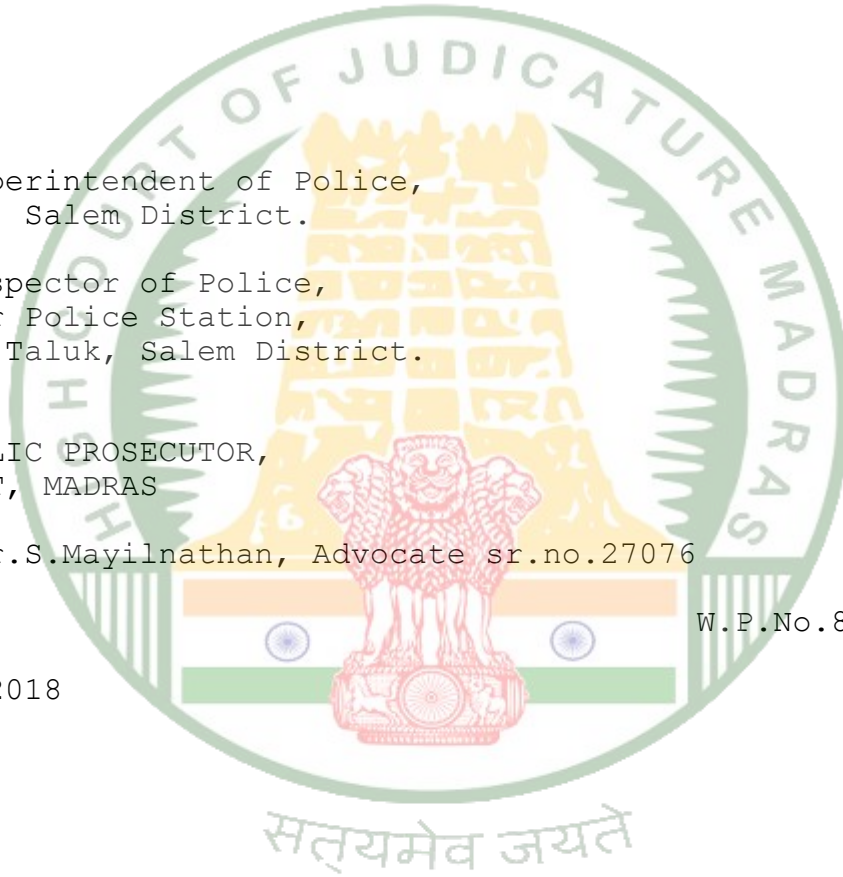
1. The Superintendent of Police,
Salem, Salem District.
2. The Inspector of Police,
Mallur Police Station,
Salem Taluk, Salem District.

3.THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS

+lcc to Mr.S.Mayilnathan, Advocate sr.no.27076

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