

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.9857 of 2018

R.Murali

.. Petitioner

-vs-

1. The Superintendent of Police,
Namakkal District, Namakkal.
2. The Inspector of Police,
Pallipalayam 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 respondent authority to give permission to conduct Cultural Programme on 3.5.2018 in the event of Arulmighu Samayapurathu Mariamman Koil of Kavuary R.S. Post, VOC Nagar, Namakkal District on the petitioner's representation dated 13.4.2018

For Petitioner :: Mr.R.Gopinath

For Respondents :: Mr.D.Suriya Narayanan,
Addl. Govt. Pleader

ORDER

The petitioner seeks a direction to the respondents to grant permission to conduct cultural programme in the eve of Arulmighu Samayapurathu Mariamman Koil of Kavuary R.S. Post, VOC Nagar, Namakkal District on 3.5.2018 by considering the petitioner's representation dated 13.4.2018.

2. The learned counsel appearing for the petitioner submitted that the petitioner is a resident of Pallipalayam, Tiruchengode Taluk and Namakkal District and also claims to be one of the members of the Vizha Committee. 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 13.04.2018 seeking permission to conduct the

cultural programme on 03.05.2018. 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 Additional Government Pleader for the respondents, this writ petition is disposed of with the following directions:-

(a) The cultural programme in connection with Arulmighu Samayapurathu Mariamman Koil of Kavuary R.S. Post, VOC Nagar, Namakkal District by considering the petitioner's representation dated 13.4.2018 be held on 03.05.2018 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/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

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To

1. The Superintendent of Police,
Namakkal District, Namakkal.

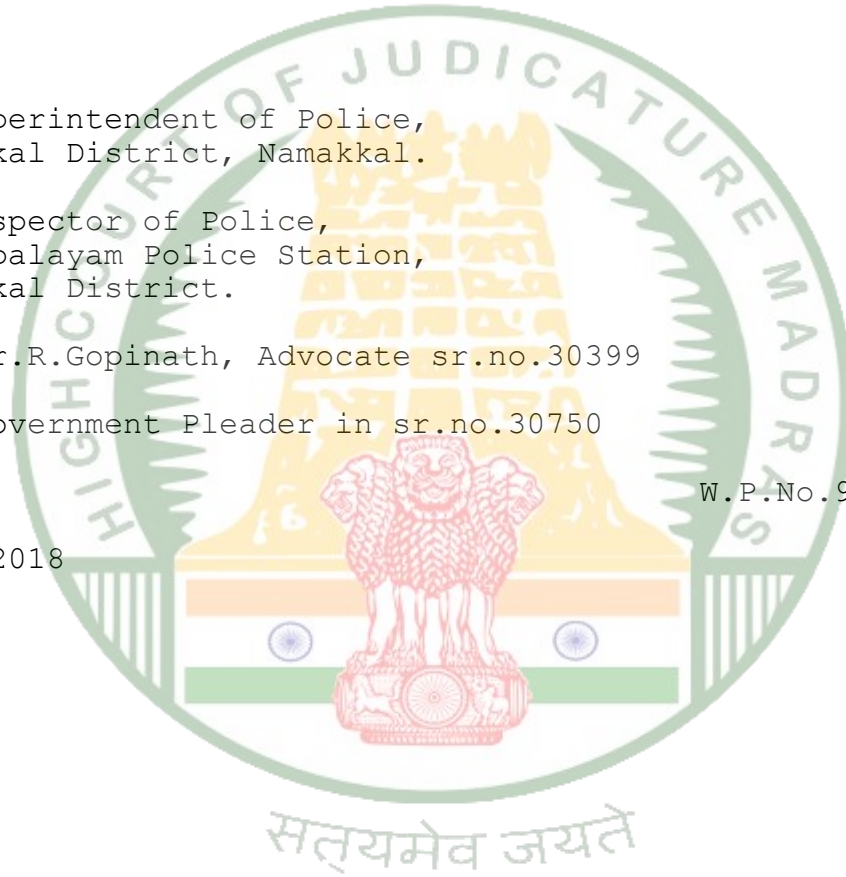
2. The Inspector of Police,
Pallipalayam Police Station,
Namakkal District.

+1cc to Mr.R.Gopinath, Advocate sr.no.30399

+1cc to Government Pleader in sr.no.30750

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nr 25/04/2018



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