

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2018

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THE HONOURABLE Mr.JUSTICE M.S.RAMESH

W.P.No.6951 of 2018

S.Arunachalam

.. Petitioner

Vs.

1.The District Superintendent of Police
Krishnagiri.

2.The Inspector of Police
Bargur Police Station
Krishnagiri District.

.. Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the second respondent herein to grant permission for conducting dance programme on 01.04.2018 in Thiruchenkundram Sri Kalyana Murugar Temple situated in Sigaralalpalli Village, Bargur Taluk, Krishnagiri District.

For Petitioner : Mr.V.Karthikeyan

For Respondents: Mr.D.Raja,
Additional Government Pleader

O R D E R

Seeking permission to conduct cultural programme in the event of dance programme in Thiruchenkundram, Sri Kalyana Murugar Temple situated at Sigaralapalli Village, Bargur Taluk, Krishnagiri District, the petitioner made a representation dated 16.03.2018 to the second 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 Additional Government Pleader appearing for the respondent.

3. Learned Additional 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 dance programme in the event of Thiruchenkundram Sri Kalyana Murugar Temple situated in Sigaralapalli Village, Bargur Taluk, Krishnagiri District, however, with the following conditions:-

(a) The cultural programme in connection with in the event of Thiruchenkundram Sri Kalyana Murugar Temple situated in Sigaralapalli Village, Bargur Taluk, Krishnagiri District, shall be conducted on 01.04.2018 between 06.30 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.

s/d-
Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

dna

To

1.The District Superintendent of Police
Krishnagiri.

2.The Inspector of Police
Bargur Police Station
Krishnagiri District.

3.The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.S.V. Karthikeyan, Advocate sr 23417.

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RRK(28/03/2018)



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