

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.04.2018

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P. No.7992 of 2018

P.Sivakumar

.. Petitioner

Vs.

1.The Superintendent of Police,
Salem District.

2.The Inspector of Police,
Kondalampatti Police Station,
Salem District.

.. Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to give permission to conduct the Gramia Nadana Natiya Programme in the event of Sri Maha Kaliyamman Kovil Masi Thiruvizha at Kodikadu Neikarapatti, Salem District on 07.04.2018 between 7 pm to 9 pm at Salem District.

For Petitioner : Mr.T.Shanmugam

For Respondents : Mr.S.N.Parthasarathy

Government Advocate

O R D E R

The petitioner seeks a direction to the respondents to grant permission to conduct the Gramia Nadana Natiya Programme in the Alakadu Sri Maha Kaliyamman Kovil Masi Thiruvizha at Kodikadu, Neikarapatti, Salem District on 07.04.2018.

2. The learned counsel appearing for the petitioner submitted that the petitioner is a resident of Kodikadu, Neikarapatti and also claims to be the Committee Member. 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 second respondent on 31.03.2018 seeking permission to conduct the cultural programme on 07.04.2018. As the said representation has not been considered by the second 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 the Sri Maha Kaliyamman Kovil Masi Thiruvizha at Kodikadu Neikarapatti, Salem District be held on 07.04.2018 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 respondent is directed to issue necessary permission incorporating the above conditions.

No costs.

-s/d-

Assistant Registrar(CS-IX)

True Copy

Sub-Assistant Registrar

sri

To

1.The Superintendent of Police,
Salem District.

2.The Inspector of Police,
Kondalampatti Police Station,
Salem District.

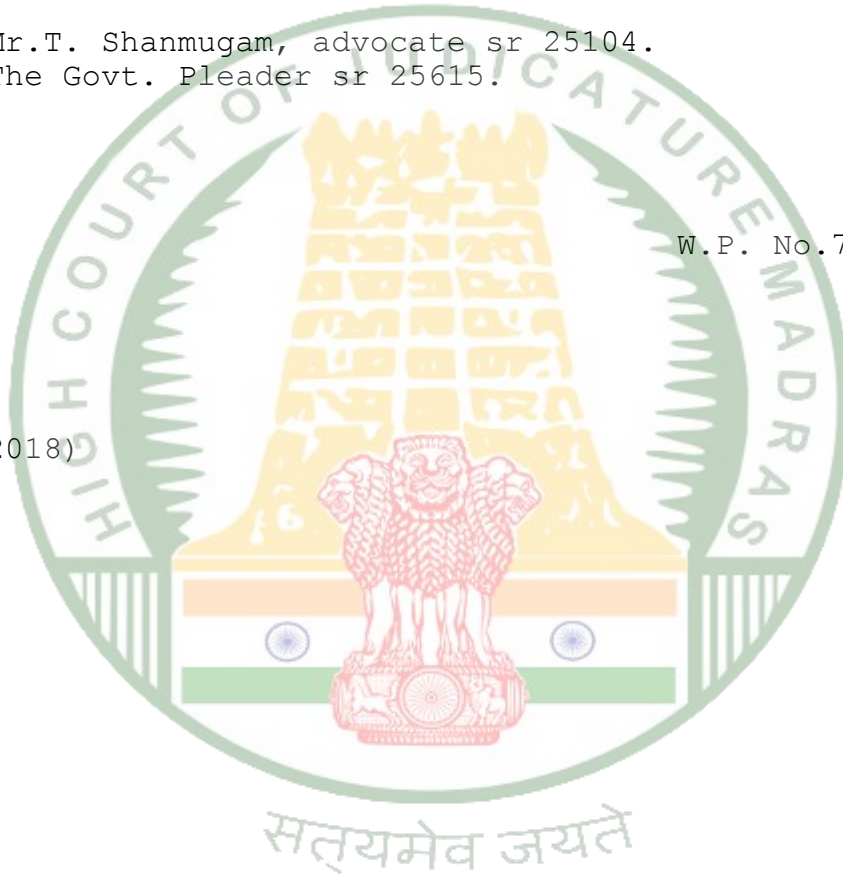
3. The Special Govt. Pleader
High Court, Madras.

+1 CC to Mr.T. Shanmugam, advocate sr 25104.

+1 CC to The Govt. Pleader sr 25615.

W.P. No.7992 of 2018

SP(06/04/2018)



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