

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.04.2018

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P. No.7995 of 2018

B.Krishnamurthy .. Petitioner

Vs.

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

2.The Inspector of Police,
Kollapatti Police Station,
Namakkal 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 cultural programme on 11.04.2018 in the event of Sri Vinayagar, Sri Sakthi Mariamman, Sri Muthukumarasamy Koil, Thanneer Pandal Palaiyam, Modamangalam, Kumarapalayam Taluk, Namakkal District - 637 304, on the petitioner's representation dated 19.03.2018.

For Petitioner : Mr.R.Gopinath

For Respondents: Mr.I.Sathish
Additional Government Pleader

सत्यमेव जयते
O R D E R

The petitioner seeks a direction to the respondents to give permission to conduct the cultural Programme in the Sri Vinayagar, Sri Sakthi Mariamman, Sri Muthukumarasamy Koil, Thanneer Pandal Palaiyam, Modamangalam, Kumarapalayam Taluk, Namakkal District - 637 304, on 11.04.2018, by considering his representation dated 19.03.2018.

2. The learned counsel appearing for the petitioner submitted that the petitioner is a resident of Modamangalam and also claims to be the Dharmakartha. 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 19.03.2018 seeking permission to conduct the cultural programme on 11.04.2018. As the said representation has not been considered by the second respondent so far, the petitioner is before this Court.

3. The learned 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 the Sri Vinayagar, Sri Sakthi Mariamman, Sri Muthukumarasamy Koil, Thanneer Pandal Palaiyam, Modamangalam, Kumarapalayam Taluk, Namakkal District - 637 304 be held on 11.04.2018 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.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

sri

To

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

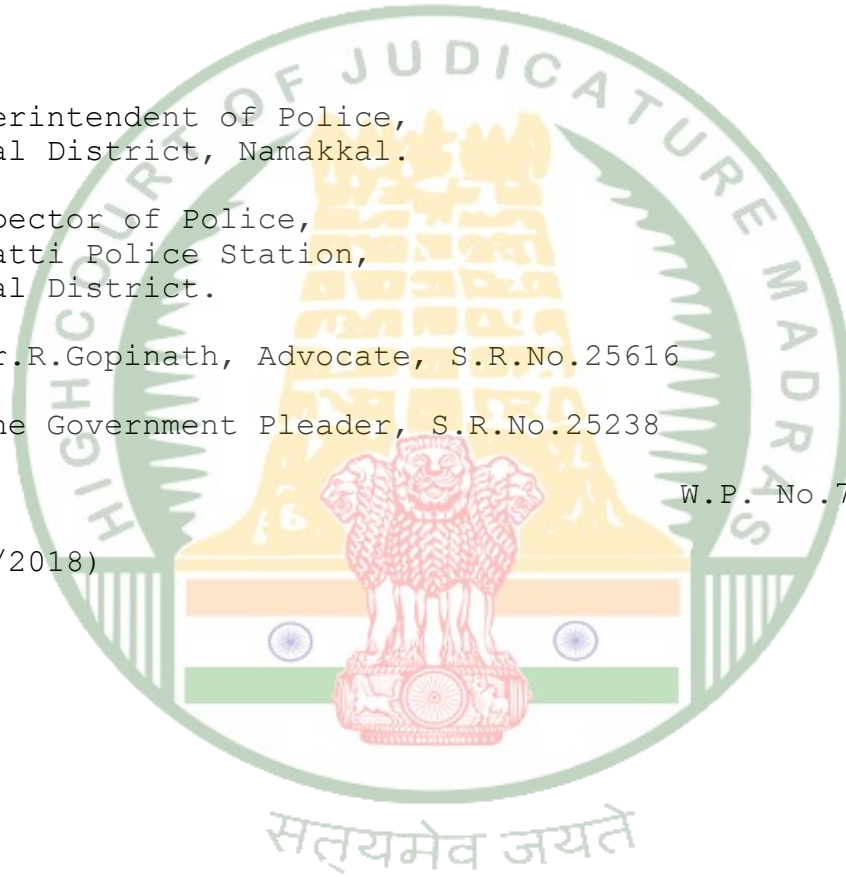
2.The Inspector of Police,
Kollapatti Police Station,
Namakkal District.

+1cc to Mr.R.Gopinath, Advocate, S.R.No.25616

+1cc to the Government Pleader, S.R.No.25238

W.P. No.7995 of 2018

RRK(09/04/2018)



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