

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.04.2018

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P. No.7996 of 2018

Thetharan .. Petitioner
Vs.

- 1.The Superintendent of Police,
Erode District, Erode.
- 2.The Inspector of Police,
Chithodu Police Station,
Erode 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 07.04.2018 in the event of Sri Mariamman Koil, Mulapalayam, Elavamalai, Erode District, on the petitioner's representation dated 26.03.2018.

For Petitioner : Mr.R.Gopinath
For Respondents : Mr.K.T.Devendran
Additional Government Pleader

O R D E R

The petitioner seeks a direction to the respondents to give permission to conduct the cultural Programme in the Sri Mariamman Koil, Mulapalayam, Elavamalai, Erode District, on 07.04.2018, by considering his representation dated 26.03.2018.

2. The learned counsel appearing for the petitioner submitted that the petitioner is a resident of Mulapalayam 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 26.03.2018 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 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 Mariamman Koil, Mulapalayam, Elavamalai, Erode 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.

Sd/-

Asst.Registrar (CS IX)

/true copy/

Sub Asst. Registrar

To

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

2.The Inspector of Police,
Chithodu Police Station,
Erode District.

3.The Additional Government Pleader,
High Court, Madras.

+ 1 cc to Mr.R.Gopinath Advocate,SR.25237

+ 1 cc to Mr.K.T.Devendran Advocate,SR.25621

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