

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.8926 of 2018

M.Elangovan

.. Petitioner

-vs-

The Inspector of Police
Kondalampatti B-6 Police Station
Kondalampatti, Salem District

... Respondent

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 village folk dance and other cultural programs (Adal Padal) held on 15.04.2018 at Sri Kompathu Mariyamman, Sri Kalliyamman Temple festival at Periyar Nagar, Pothure Post, Agarram and Salem District by considering the petitioner's representation dated 09.04.2018.

For Petitioner :: Mr.S.Vimal

For Respondent :: Mr.E.Balamurugan
Special Government Pleader

ORDER

The petitioner seeks a direction to the respondent to grant permission to conduct the village folk dance and other cultural programs (Adal Padal) at Sri Kompathu Mariyamman, Sri Kalliyamman Temple festival at Periyar Nagar, Pothure Post, Agarram, Salem District on 15.04.2018 by considering the petitioner's representation dated 09.04.2018.

2. The learned counsel appearing for the petitioner submitted that the petitioner is a resident of Periyar Nagar, Pothure Post and also claims to be the Dharmakarthha and one of the members of Vizha Commtee. Since the committee has been conducting the cultural programme 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 09.04.2018 seeking permission to conduct the cultural programme on 15.04.2018. As the said representation has not been

considered by the respondent so far, the petitioner is before this Court.

3. The learned Special Government Pleader appearing for the respondent, 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 Special Government Pleader for the respondent, this writ petition is disposed of with the following directions:-

(a) The village folk dance and cultural programme (Adal Padal) in connection with the Sri Kompathu Mariyamman, Sri Kalliyamman Temple festival at Periyar Nagar, Pothure Post, Agarram, Salem District be held on 15.04.2018 between 07.00 p.m., and 10.30 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 religious leader, be erected.

(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.

(h) Similarly, the Police is empowered to stop the cultural programme, if it exceeds beyond the permitted time.

(i) The participants of the programme shall not intake any kind of toxic substance or liquor during the

programme.

(j) If there is any untoward incident taking place, the village people and the organizers of the programme be made responsible for the same; and

(k) The respondent is directed to issue necessary permission incorporating the above conditions.

No costs.

Sd/-

Assistant Registrar (CS V)

//True copy//

Sub Assistant Registrar

ss

To

1. The Inspector of Police
Kondalampatti B-6 Police Station
Kondalampatti, Salem District

+1cc to Mr.T.Meganathan, Advocate SR.No.27104

+1cc to Government Pleader SR.No.27679

PA (CO)
GN(13/04/2018)

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