

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.01.2018

CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

Crl.OP.No.698 of 2018

A.Siva

.. Petitioner

Vs

1. The Superintendent of Police,
Nagappattinam District.

2. The Inspector of Police,
Poraiyar Police Station,
Nagappattinam District.

.. Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.PC, praying to direct the respondent authority to give police protection and permission to conduct Cultural Programme (Music and Dance) is to be held on 15.01.2018 during the temple Pongal festival of Arulmigu Kalakala (Lord Shiva) Temple situated at Erukkattanchery Village, Tharngambadi Taluk, Nagappattinam District by considering the representation of the petitioner dated 04.01.2018.

For Petitioner : M/s.N.Palanisamy

For Respondents : M/s.V.Saratha Devi

Government Advocate (Crl. Side)

O R D E R

Seeking permission to conduct cultural programme in the event of temple Pongal festival of Arulmigu Kalakala (Lord Shiva) Temple situated at Erukkattanchery Village, Tharngambadi Taluk, Nagappattinam District, the petitioner made a representation dated 04.01.2018 to the respondent. As the same has not been considered, the present criminal original petition has been filed.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondents.

3. Learned Government Advocate (Crl. Side), 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 criminal original petition is allowed and the petitioner is permitted to conduct cultural programme , however, with the following conditions:-

(a) The cultural programme in connection with the event of temple Pongal festival of Arulmigu Kalakala (Lord Shiva) Temple situated at Erukkattanchery Village, Tharngambadi Taluk, Nagappattinam District, shall be conducted on 15.01.2018 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 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 protection and permission, incorporating the above conditions.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

dh/ak

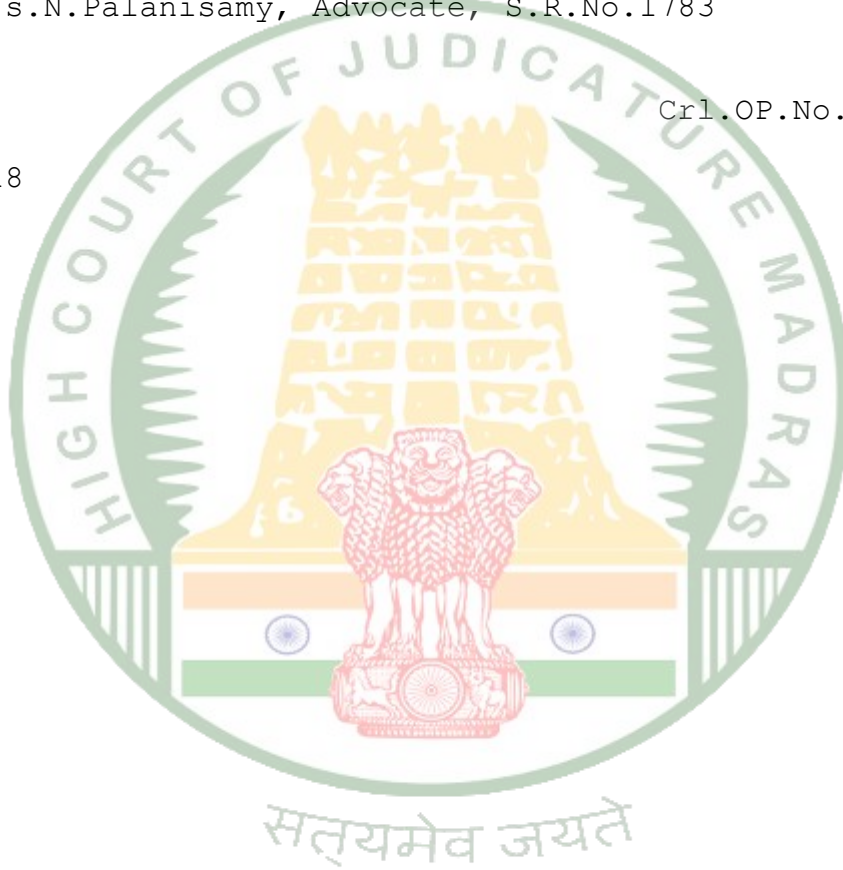
To

1. The Superintendent of Police,
Nagappattinam District.
2. The Inspector of Police,
Poraiyar Police Station,
Nagappattinam District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to M/s.N.Palanisamy, Advocate, S.R.No.1783

Cr1.OP.No.698 of 2018

CS/12/01/18



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