

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.11307 of 2018

V.Mariyannan

.. Petitioner

-vs-

1. The Superintendent of Police,
Salem, Salem District-636 001.

2. The Inspector of Police,
Mecheri Police Station,
Mettur Taluk, Salem District-636 458.

... Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents 1 and 2 to consider and pass orders on the representation dated 10.4.2018 made by the petitioner within the time frame as may be fixed by this Court, much before the fixed programme which is to be held on 03.05.2018.

For Petitioner :: Mr.Mayilnathan

For Respondent :: Mrs.P.Rajalakshmi,
Addl. Government Pleader

ORDER

The petitioner seeks a direction to the respondents to grant permission to conduct the cultural programme in Sri Sakthi Mariyamman Temple Festival, 5th Myil Village, Cinthamaniyur Post, Mecheri, Mettur Taluk, Salem District on 3.5.2018 by considering the petitioner's representation dated 10.4.2018.

2. The learned counsel appearing for the petitioner submitted that the petitioner is a resident of Mettur Taluk, Salem District and also claims to be one of the members of Vizha Commtee. 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 respondent on 10.04.2018 seeking permission to conduct the cultural programme on 03.05.2018. As the said representation has not been considered by the respondents 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 Government Advocate for the respondents, this writ petition is disposed of with the following directions:-

(a) The cultural programme in connection with Sri Sakthi Mariyamman Temple Festival, 5th Myil Village, Cinthamaniyur Post, Mecheri, Mettur Taluk, Salem District by considering the petitioner's representation dated 10.4.2018 be held on 03.05.2018 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 2nd respondent is directed to issue necessary permission incorporating the above conditions.
No costs.

Sd/-
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

tsi

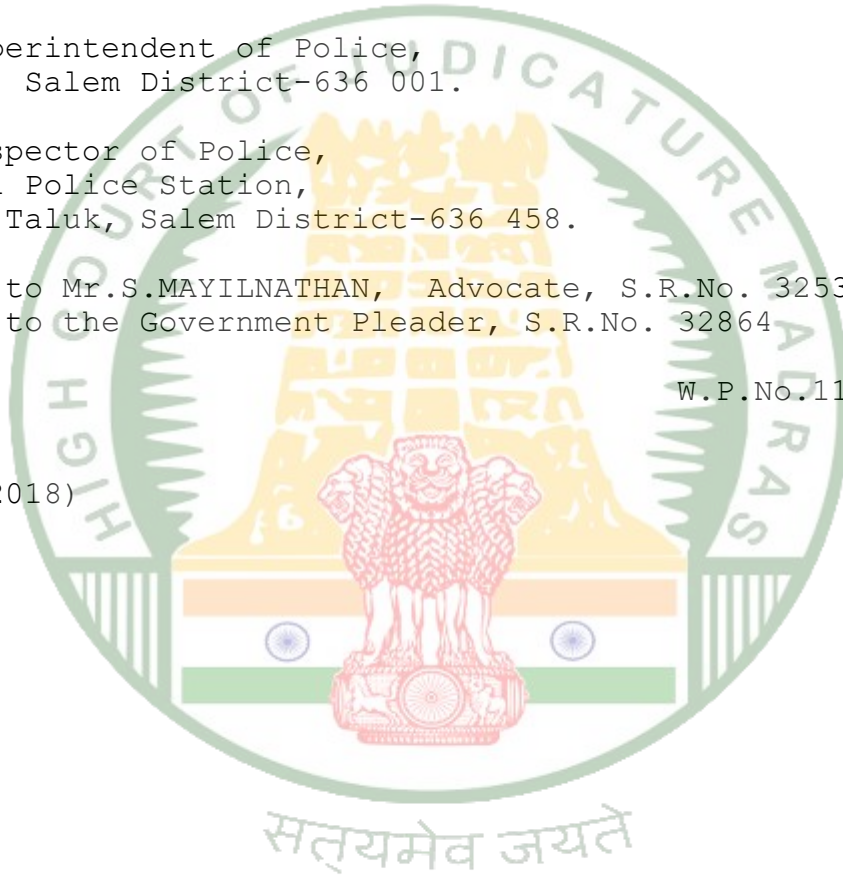
To

1. The Superintendent of Police,
Salem, Salem District-636 001.
2. The Inspector of Police,
Mecheri Police Station,
Mettur Taluk, Salem District-636 458.

+1cc to Mr.S.MAYILNATHAN, Advocate, S.R.No. 32538
+1cc to the Government Pleader, S.R.No. 32864

W.P.No.11307 of 2018

TR(04/05/2018)



WEB COPY