

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.22881 of 2018

K.Sakthivel

.. Petitioner

Vs

The Inspector of Police,
Vennandur Police Station,
Namakkal District. .. Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus to call for the records of the order passed by the respondent dated 31.08.2018 and quash the same subsequently direct the respondent to grant permission for conduct the cultural dance program (Aadal & Padal program) at Sengunthar Periya Pavadi Kalaiyarangam, Vennandur Village, Rasipuram Taluk, Namakkal District scheduled on 06.09.2018 on the eve of Arulmigu Iynthu Muniappan Temple Festival pursuant to the petitioner's representation dated 31.08.2018.

For Petitioner : Mr.M.Subash

For Respondent : Mr.E.Balamurugan
Special Government Pleader

O R D E R

By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

2.Seeking permission to conduct cultural programme of "Arulmigu Iynthu Muniappan Temple Festival" in the Sengunthar Periya Pavadi Kalaiyarangam, Vennandur Village, Rasipuram Taluk, Namakkal District on 06.09.2018, the petitioner addressed a representation dated 31.08.2018 to the respondent which was rejected by the respondent on the same day. Hence the writ petition.

3.Learned counsel for the petitioner submitted that without assigning any proper reason, the respondent passed a non speaking order dated 31.08.2018 rejecting the representation submitted by the petitioner seeking permission to conduct the

cultural programme in the temple which is arbitrary and illegal. The said submission is fairly conceded by the learned Special Government Pleader who takes notice for the respondent.

4. In view of the submission so made by the learned counsel on either side, this Court finds that on earlier occasions, permission has not been granted by this Court to conduct dance programme on the ground that obscene movements are involved in the dance performances. Now the petitioner assured that no such obscene dance movements will be there in the cultural programme to be conducted in the Sengunthar Periya Pavadi Kalaiyarangam, Vennandur Village, Rasipuram Taluk, Namakkal District scheduled to be held on 06.09.2018 and whatever conditions this Court imposes for conducting the cultural programme, the same will be adhered to by the petitioner in letter and spirit.

5. In view of the assurance so given by the petitioner, the impugned order is set aside and this writ petition is disposed of, by permitting the petitioner to conduct cultural programme in the Sengunthar Periya Pavadi Kalaiyarangam, Vennandur Village, Rasipuram Taluk, Namakkal District scheduled to be held on 06.09.2018, with the following conditions:-

(a) The cultural programme in connection with the "Arulmigu Iynthu Muniappan Temple Festival" in the Sengunthar Periya Pavadi Kalaiyarangam, Vennandur Village, Rasipuram Taluk, Namakkal District, shall be conducted on 06.09.2018 between 06.00 p.m. and 10.00 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 as they will 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 conducted beyond the permitted time limit.

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

No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vga

To

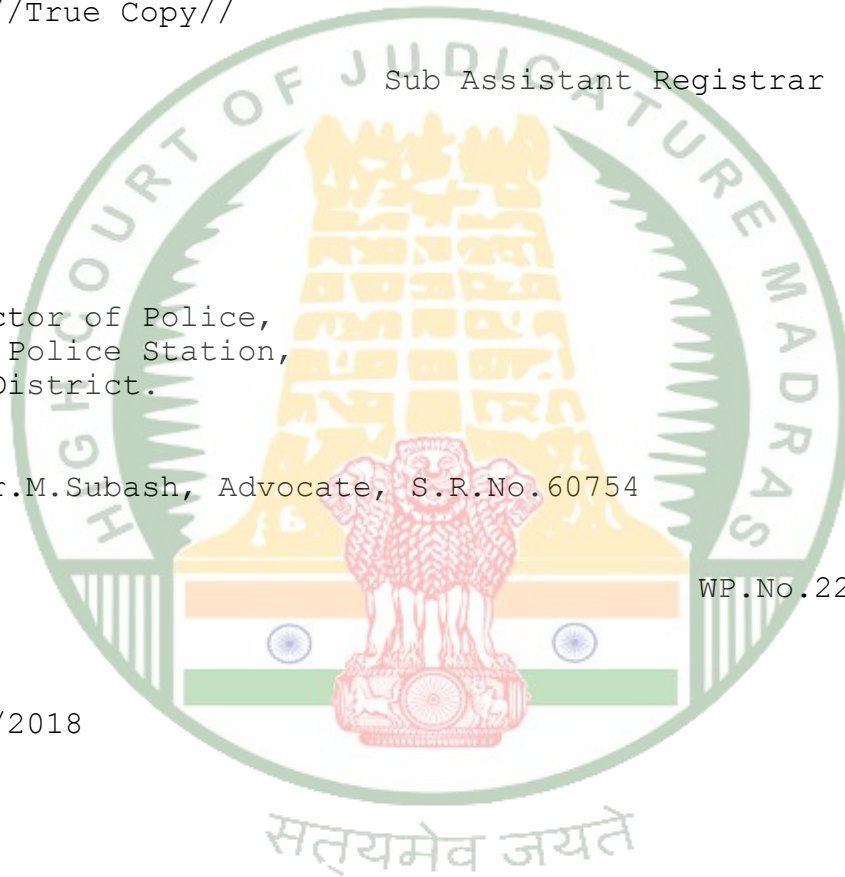
The Inspector of Police,
Vennandur Police Station,
Namakkal District.

+1cc to Mr.M.Subash, Advocate, S.R.No.60754

WP.No.22881 of 2018

RSV(co)

rrs 05/09/2018



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