

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.05.2018

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THE HONOURABLE MRS. JUSTICE S.RAMATHILAGAM

W.P.No. 12273 of 2018

G.Manivannan

.. Petitioner

Vs

The Sub Inspector of Police,
Rasipuram 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 from the respondent pertaining to the impugned order dated 02.05.2018 passed by the respondent and quash the same and consequently direct the respondent police authority to give police protection and grant permission to conduct the temple festival and cultural programs at Dr.Ambedkar Auditorium, near Arulmighu Sri Muthu Mariyamman temple, R.Kavundampalayam post, Rasipuram Taluk, Namakkal District, the scheduled to be held on 11.05.2018 at about 7.00 p.m. on wards.

For Petitioner : Mr.G.Saravanakumar

For Respondent : Mr.J.Ramesh
Additional Government Pleader

O R D E R

Seeking permission to conduct cultural programme in the event of Arulmighu Sri Muthu Mariyamman temple, R.Kavundampalayam post, Rasipuram Taluk, Namakkal District, on 11.05.2018m, the petitioner made a representation to the respondent. As the same has not been considered, the present writ petition has been filed.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondent.

3. Learned Additional Government Pleader, 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 writ petition is allowed and the petitioner is permitted to conduct cultural programme during Arulmighu Sri Muthu Mariyamman temple, R.Kavundampalayam post, Rasipuram Taluk, Namakkal District, on 11.05.2018, however, with the following conditions:-

(a) The cultural programme in connection Arulmighu Sri Muthu Mariyamman temple, R.Kavundampalayam Post, Rasipuram Taluk, Namakkal District, shall be conducted on 11.05.2018 between 06.30 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 as it may 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 permission, incorporating the above conditions.

5. With the above directions, this writ petition is allowed. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

rts

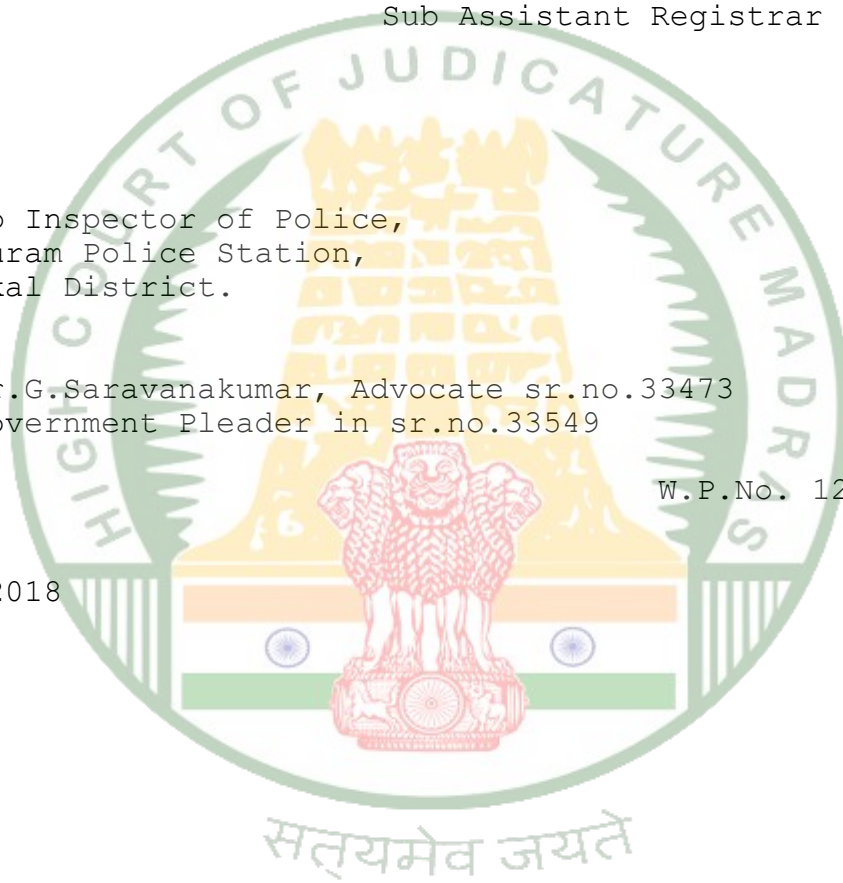
To

1. The Sub Inspector of Police,
Rasipuram Police Station,
Namakkal District.

+1cc to Mr.G.Saravanakumar, Advocate sr.no.33473
+1cc to Government Pleader in sr.no.33549

W.P.No. 12273 of 2018

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