

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.05.2018

C O R A M

THE HONOURABLE Mr.JUSTICE C.V.KARTHIKEYAN

W.P.No.12580 of 2018

R.Govindan

... Petitioner

Vs.

1.The District Collector,
Vellore District.

2.The Inspector of Police,
Rural Police Station,
Vellore District.

... Respondents

PRAYER Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents particularly the second respondent, to consider the representation dated 28.04.2018 of the petitioner and to pass orders thereon for according permission to conduct a dance programme in the ensuing Temple Festival on 30.05.2018 between 7.00 p.m. And 11.00 p.m. at in Sri Sothu Chinna Mariamman Temple, Kodiur Vishamangalam Post, Thirupattur Taluk, Vellore District.

For Petitioner : Mr.V.Veluchamy

For Respondents: Mr.D.Raja,
Additional Government Pleader

सत्यमेव जयते
O R D E R

The relief sought for in this writ petition is for a direction to direct the respondents, particularly the second respondent, to consider the representation of the petitioner, dated 28.04.2018 and to grant permission to conduct a dance programme in the ensuing Festival on 30.05.2018 in Sri Sothu Chinna Mariamman Temple, Kodiur Vishamangalam Post, Thirupattur Taluk, Vellore District, between 7.00 p.m. and 11.00 p.m.

2. The learned counsel appearing for the petitioner submitted that the petitioner is a resident of Kodiur Vishamangalam Post, Thirupattur Taluk, Vellore District and he is organising the festival. He has submitted a representation

to the second respondent on 28.04.2018, seeking permission to conduct the dance programme on 30.05.2018 from 7.00 p.m. To 11.00 p.m. As the said representation has not been considered by the second respondent 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 Additional Government Pleader for the respondents, this writ petition is disposed of with the following directions:-

(a) The dance programme in connection with the temple festival shall be held on 30.05.2018 in Sri Sothu Chinna Mariamman Temple, Kodiur Vishamangalam Post, Thirupattur Taluk, Vellore District, between 7.00 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 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) In the event of causing any damages to the public properties or to the properties belong to the temple or people of locality during the conduct of such festival, the festival committee is fully responsible to pay compensation and such a compensation to be assessed and fixed by the local Inspector of Police with the Assistance of Revenue Officials and accordingly, the said compensation to be recovered in accordance with law.

(l) The Festival Committee should ensure that no nuisance or otherwise to be caused during the conduct of cultural programme. If any such nuisance has been committed, the Festival Committee is fully responsible and the Inspector of Police is at liberty to initiate appropriate action under the penal provisions for committing such nuisance.

(m) In the light of the above observations the respondent is directed to consider the representation submitted by the petitioner on 11.05.2018 and pass orders on merits and in accordance with law before the date of festival.

(n) If the Executive Magistrate deems it necessary he may also secure a bond from the petitioner under Section 107 of Criminal Procedure Code to maintain peace in the area.

However, there is no order as to costs.

Sd/-

Assistant Registrar(V.O)

//True Copy//

Sub Assistant Registrar

To

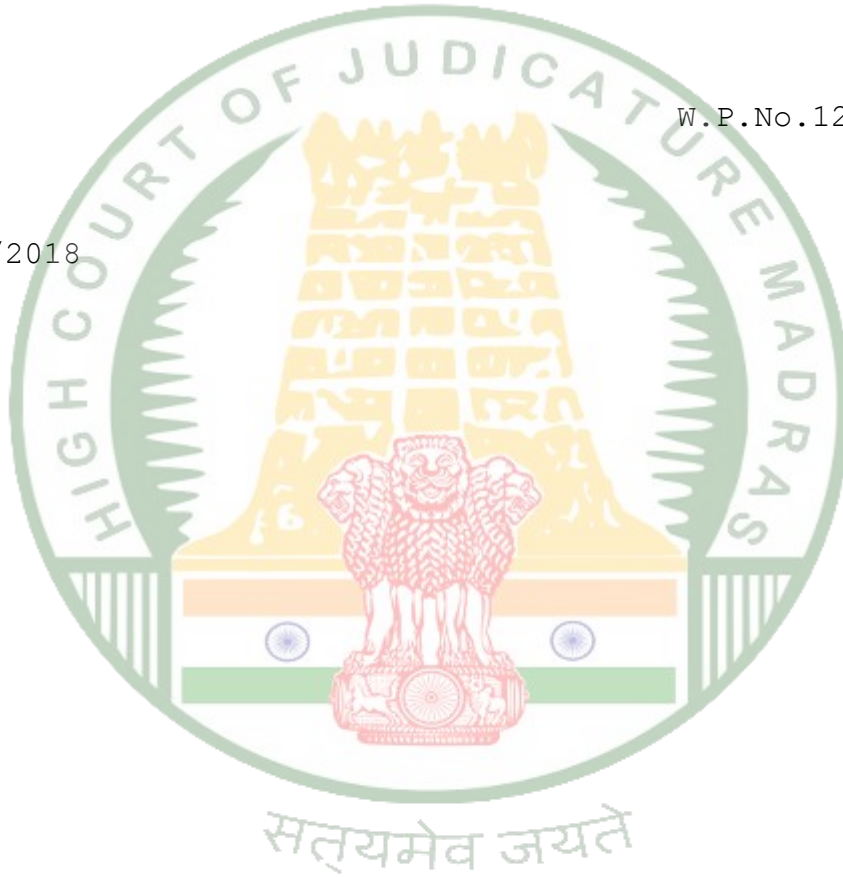
1.The District Collector,
Vellore District.

2.The Inspector of Police,
Rural Police Station,
Vellore District.

+lcc to the Government Pleader Sr.33821
+lcc to M/S.V.Veluchaamy, Advocate Sr.33758

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