

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 08.01.2018

CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

W.P.No. 241 of 2018

T.Gowrinathan

.. Petitioner

Vs

1. The Superintendent of Police,
O/o. The Superintendent of Police,
Erode District.

2.The Inspector of Police,
Vellode Police Station,
Chennamalai Road,
Erode District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus to direct the respondents to give permission and protection for the Cultural Program (Orchestra and dancing) scheduled to be held on 10.01.2018 in Maari Amman Kovil offering festival at Rasamapalayam, Kavundachipalayam, Pungampadi Village, Erode District.

For Petitioner : Mr. M.Samuel Raja

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

सत्यमेव जयते
O R D E R

Seeking permission to conduct cultural programme in the event of Maari Amman Kovil offering festival at Rasamapalayam, Kavundachipalayam, Pungampadi Village, Erode District, the petitioner made a representation dated 16.12.2017 to the 2nd 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 Special Government Pleader appearing for the respondents.

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 with the following conditions:-

(a) The cultural programme in connection with in the event of Maari Amman Kovil offering festival at Rasamapalayam, Kavundachipalayam, Pungampadi Village, Erode District, shall be conducted on 10.01.2018 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 2nd respondent is directed to issue necessary permission, incorporating the above conditions.

No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ak

To

1. The Superintendent of Police,
O/o. The Superintendent of Police,
Erode District.

2.The Inspector of Police,
Vellode Police Station,
Chennamalai Road,
Erode District.

3. The Additional Government Pleader
High Court, Madras.

+lcc to Mr.M.Samuel Raja, Advocate, S.R.No.1192

WP. No. 241 of 2018

RRK(09/01/2018)



WEB COPY