

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.13539 of 2018

V.Annadurai

.. Petitioner

-vs-

The Inspector of Police
Namakkal Police Station
Namakkal Taluk
Namakkal District

.. Respondent

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondent authority to give permission to conduct cultural programme (Adal Padal) in the event of Avalnaickampatti Village Kumaragoundanur Arulmigu Sree Vinayagar, Murugan & Pudupatti Sree Mariamman Temple Kumbabishekam festival at Namakkal Taluk & District on 17.06.2018 between 6.00 PM and 11.00 PM by considering the petitioner's representation dated 02.06.2018.

For Petitioner :: Mr.A.Sathishkumar

For Respondent :: Mr.V.Jayaprakash Narayanan
Special Government Pleader

ORDER

The petitioner seeks a direction to the respondent to give permission to conduct the cultural programme (Adal Padal) in the event of Avalnaickampatti Village Kumaragoundanur Arulmigu Sree Vinayagar, Murugan & Pudupatti Sree Mariamman Temple Kumbabishekam festival at Namakkal Taluk & District on 17.06.2018 between 6.00 PM and 11.00 PM by considering the petitioner's representation dated 02.06.2018.

2. The learned counsel appearing for the petitioner submitted that the petitioner is a resident of Avalnaickampatti village and also claims to be the President of Vizha Committee. Since the committee has been conducting the cultural programme 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 02.06.2018 seeking permission to conduct the cultural programme on 17.06.2018. As

the said representation has not been considered by the respondent so far, the petitioner is before this Court.

3. The learned Special Government Pleader appearing for the respondent, on instructions, would submit that since no order has been passed by the respondent so far on the representation, 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. Considering the fact that the respondent cannot sit on the matter for a long time after the receipt of the representation on 5.6.2018, as they have to either grant or refuse the prayer, and also the fact that the cultural programme has been organised as a part of village temple festival, this writ petition is disposed of with the following directions:-

(a) The cultural programme (Aadal Padal) in connection with the Avalnaickampatti Village Kumaragoundanur Arulmigu Sree Vinayagar, Murugan & Pudupatti Sree Mariamman Temple Kumbabishekam festival at Namakkal Taluk & District be held on 17.06.2018 between 07.00 p.m., and 10.30 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) The respondent is directed to issue necessary permission incorporating the above conditions.

No costs.

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police
Namakkal Police Station
Namakkal Taluk
Namakkal District

+1cc to Mr.A.SATHISH KUMAR, Advocate, S.R.No. 36075

+1cc to the Government Pleader, S.R.No. 36543

W.P.No.13539 of 2018

TR(13/06/2018)

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