

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2018

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.14045 of 2018

P.Muthukrishnan

.. Petitioner

-vs-

The Inspector of Police
Mallur Police Station
Mallur, Salem District

.. Respondent

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 07.06.2018 made to the respondent and consequently direct the respondent to grant permission to the petitioner in order to conduct the cultural programme which is scheduled to be held on 14.06.2018 at Sri Sakthi Mariamman Temple, Gandhi Nagar, Nazhikkalpatty Post, Salem District.

For Petitioner :: Mr.N.Vijaya Basker
For M/s.Law Vision

For Respondent :: Mr.D.Suryanarayanan
Additional Government Pleader

ORDER

The petitioner seeks a direction to the respondent to grant permission to conduct the cultural programme on 14.06.2018 in connection with the Sri Sakthi Mariamman Temple festival at Gandhi Nagar, Nazhikkalpatty Post, Salem District by considering his representation dated 7.6.2018.

2. The learned counsel appearing for the petitioner submitted that the petitioner is a resident of Nazhikkalpatty post and also claims to be the member of Vizha Committee. Since the committee has been conducting the cultural programmes 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 07.06.2018 seeking permission to conduct the cultural programme on 14.06.2018. As the said representation has not been considered by the respondent so far, the petitioner is before this Court.

3. The learned Additional Government Pleader appearing for the respondent, 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 respondent, this writ petition is disposed of with the following directions:-

(a) The cultural programme in connection with the festival at Sri Sakthi Mariamman Temple, Gandhi Nagar, Nazhikkalpatty Post, Salem District be held on 14.06.2018 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 VII)

//True copy//

Sub Assistant Registrar

ss

To

1. The Inspector of Police
Mallur Police Station
Mallur, Salem District

+1cc to M/s.Law Vision, Advocate SR.No.36480
+1cc to Government Pleader SR.No.36994

W.P.No.14045 of 2018

GN(13/06/2018)



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