

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 03.05.2018
CORAM
THE HONOURABLE Mrs.JUSTICE S.RAMATHILAGAM

Crl.O.P.No.12921 of 2018

P.Gowthaman

.. Petitioner

Vs.

The Inspector of Police
Tharamangal Police Station,
Salem District.

.. Respondent

Prayer:Criminal Original Petition filed under Section 482 of the Criminal Procedure Code pleased to pass an order of Direction, directing the respondent to grant permission and provide police protection to the petitioners' village to conduct the cultural programme on 12.05.2018 the eve of temple festival of the Arulmigu Srii Mandai Mariyamman Kovil festival situate at Mallikuttai Village, Athirampatti Omalur Taluk, Salem District based on the my representation dated 30.04.2018 to conduct the "Gramiya Kalai Nigazhchi" forthwith and thus render justice.

For Petitioner : Mr.C.Prabakaran

For Respondent : Ms.Kritika Kamal
Government Advocate (Crl. Side)

O R D E R

Seeking permission to conduct cultural programme on 12.05.2018 the eve of temple festival of the Arulmigu Srii Mandai Mariyamman Kovil festival situate at Mallikuttai Village, Athirampatti Omalur Taluk, Salem District, the petitioner made a representation dated 30.04.2018 to the respondent. As the same has not been considered, the present Criminal Original petition has been filed.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondent.

3. Learned Government Advocate (Crl. side), 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 Criminal Original petition is allowed and the petitioner is permitted to conduct on 12.05.2018 the eve of temple festival of the Arulmigu Srii Mandai Mariyamman Kovil festival situate at Mallikuttai Village, Athirampatti Omalur Taluk, Salem District, however, with the following conditions:-

(a) The cultural programme in the eve of temple festival of the Arulmigu Srii Mandai Mariyamman Kovil festival situate at Mallikuttai Village, Athirampatti Omalur Taluk, Salem District, shall be conducted on 12.05.2018 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 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 respondent is directed to issue necessary permission, incorporating the above conditions.

Sd/-

Vacation Officer

//True Copy//

Sub Assistant Registrar

To

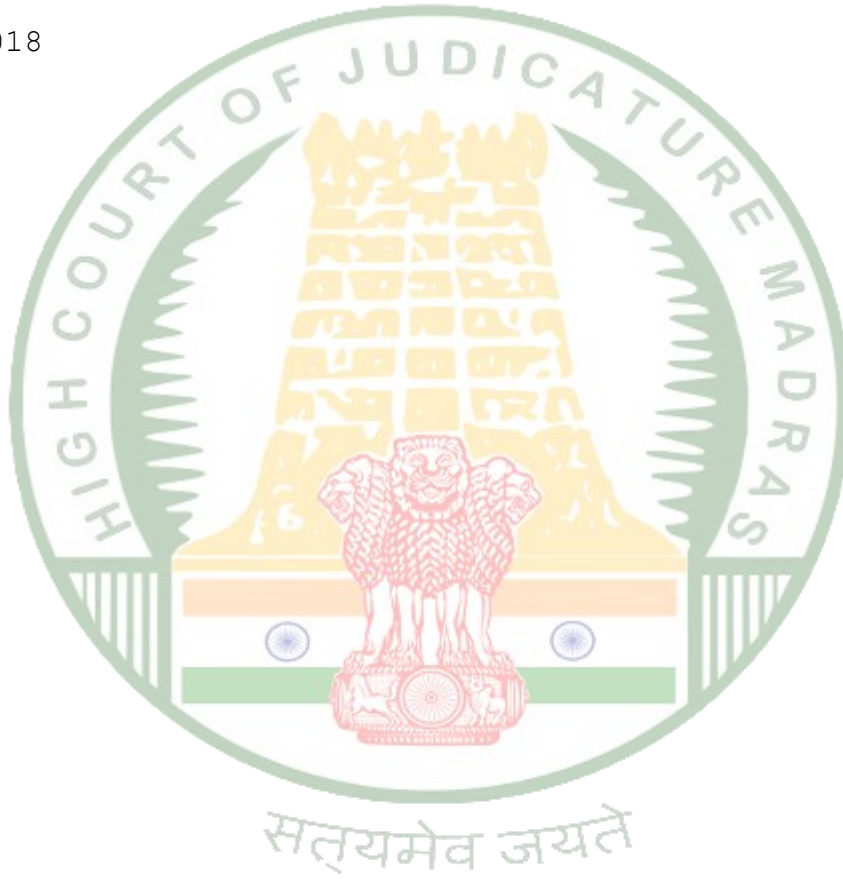
1. Inspector of Police
Tharamangal Police Station,
Salem District.

2. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.C.Prabakaran Advocate sr 33033

Cr1.O.P.No.12921 of 2018

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