

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.05.2018
CORAM

THE HONOURABLE MRS. JUSTICE S.RAMATHILAGAM

Crl.O.P.No.13231/2018

G.Palanisamy

.. Petitioner

Vs

The Inspector of Police,
Nallipallayam Police Station,
Namakkal District.

.. Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent to consider the petitioner representation dated 07.05.2018 and provide police permission to conduct village folk dance and other cultural programs (Adal Padal) to be held on 24.05.2018 at Sri Maha Sakthi Mariyamman and Sri Moopannar Temple situated at Nallipallayam Post, Namakkal Taluk, Namakkal District.

For Petitioner : Mr.T.Maganathan

For Respondent : Mrs.P. Kritika Kamal
Govt. Advocate [Crl.Side]

O R D E R

Seeking permission to conduct cultural programme (Adal Padal) in the event of Sri Maha Sakthi Mariyamman and Sri Moopannar Temple situated at Nallipallayam Post, Namakkal Taluk, Namakkal District, on 24.05.2018, the petitioner made a representation on 07.05.2018 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 cultural programme (Adal Padal) during Sri Maha Sakthi Mariyamman and Sri Moopannar Temple situated at Nallipallayam Post, Namakkal Taluk, Namakkal District, on 24.05.2018, however, with the following conditions:-

(a) The cultural programme in connection with Sri Maha Sakthi Mariyamman and Sri Moopannar Temple situated at Nallipallayam Post, Namakkal Taluk, Namakkal District, on 24.05.2018, shall be conducted on 24.05.2018 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 as it may 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/-

Assistant Registrar(Comp)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
Nallipallayam Police Station,
Namakkal District.

2. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.T.Maganathan, Advocate, S.R.No.33299

Cr1.O.P.No.13231/2018

RK(CO)

RRK(14/05/2018)



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