

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.17246 of 2018

S.Rathinam

..

Petitioner

-vs-

1. The Superintendent of Police
Salem, Salem District 636 001

2. The Inspector of Police
Omalur Police Station
Omalur Taluk
Salem District 636 309

..

Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the first and second respondents to consider and pass orders on the representation dated 27.06.2018 made by the petitioner within the time frame as may be fixed by this Hon'ble Court, much before the fixed programme which is to be held on 18.07.2018.

For Petitioner :: Mr.S.Mayilnathan

For Respondents :: Mr.E.Balamurugan
Special Government Pleader

ORDER

The petitioner seeks a direction to the respondents to grant permission to conduct the cultural programme in the event of Sri Pathra Kaliyamman Temple festival at Sikkanampatti Village, Sikkanampatti Post, Omalur Taluk, Salem District on 18.07.2018, by considering his representation dated 27.06.2018.

2. The learned counsel appearing for the petitioner submitted that the petitioner is a resident of Sikkanampatti village and also claims to be a member 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 respondents on 27.06.2018 seeking permission to conduct the cultural programme on 18.07.2018. As

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

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

(a) The cultural programme in connection with the Sri Pathra Kaliyamman Temple festival at Sikkanampatti Village, Sikkanampatti Post, Omalur Taluk, Salem District be held on 18.07.2018 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 second respondent is directed to issue necessary permission incorporating the above conditions. No costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

ss

To

1. The Superintendent of Police
Salem, Salem District 636 001

2. The Inspector of Police
Omalur Police Station
Omalur Taluk
Salem District 636 309

+1cc to Mr.S.Mayilnathan, Advocate, S.R.No.45132

+1cc to the Government Pleader, S.R.No.45779

W.P.No.17246 of 2018

CS/16/07/18

सत्यमेव जयते

WEB COPY