

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.18714 of 2018

N.Ayyanar

.. Petitioner

-vs-

The Inspector of Police,
Arakandanallur Police Station,
Arakandanallur, Villupuram District.

... Respondent

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondent to grant permission to conduct cultural program (dance and music program) in the Sri Pidariyamman Temple situated at Mariyamman Kovil Street, Ottampattu and Post, Kandachipuram Taluk, Villupuram District scheduled to be held on 25.07.2018 from 07.00 p.m. to 11.00 p.m.

For Petitioner :: Mr.N.Desinghu

For respondent :: Mr.M.Jothikumar,
Additional Government Pleader

ORDER

The petitioner seeks a direction to the respondent to grant permission to conduct the cultural programme (Adal Padal) to be held on 25.07.2018 at Sri Pidariyamman Temple situated at Mariyamman Kovil Street, Ottampattu and Post, Kandachipuram Taluk, Villupuram District by considering his representation dated 19.07.2018.

2. The learned counsel appearing for the petitioner submitted that the petitioner is a resident of Villupuram and claims to be a Dharmakarthha of the said temple. Since the Committee have been conducting the cultural programme as a part of temple festival every year in a peaceful manner without any untoward incident in the past, the petitioner has submitted a representation to the respondent on 19.07.2018 seeking permission to conduct the cultural programme on 25.07.2018. As the said representation has not been considered by the

respondent so far, the petitioner is before this Court.

3.Placing on record a communication dated 24.07.2018 given by the Inspector of Police, Neyveli Town Police Station, Neyveli, the learned Additional Government Pleader appearing for the respondent would submit that since a murder took place in the neighbouring village and a criminal case also has been registered for various offences, the Inspector of Police, Neyveli is unable to apprehend further escalation of law and order problem in the village.

4.This Court is unable to find any justification for refusal of permission to conduct cultural programme in the village as no registration of F.I.R. has been made with regard to any offence. This writ petition is disposed of with the following directions:-

(a) The cultural programme (Adal Padal) in connection with Sri Pidariyamman Temple situated at Mariyamman Kovil Street, Ottampattu and Post, Kandachipuram Taluk, Villupuram District be held on 25.07.2018 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 respondent is directed to issue necessary permission incorporating the above conditions.

No costs.

Sd/-
Assistant Registrar (CS-v)

//True Copy//

Sub Assistant Registrar

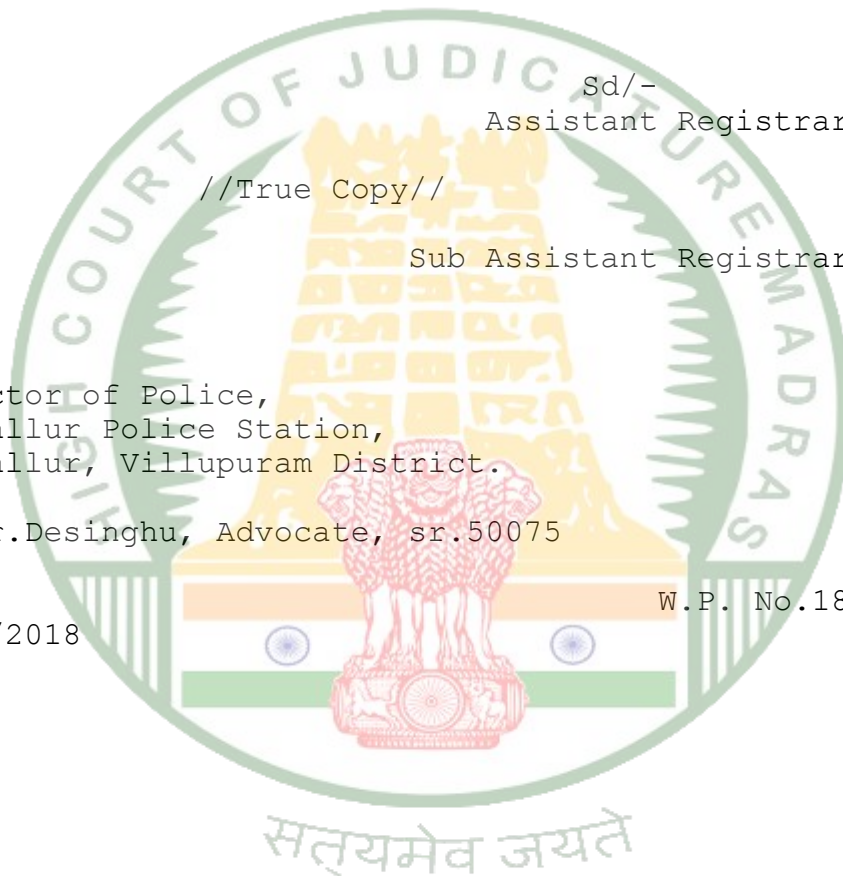
To

The Inspector of Police,
Arakandanallur Police Station,
Arakandanallur, Villupuram District.

+1CC to Mr.Desinghu, Advocate, sr.50075

GSP (25/07/2018)

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