

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.19790 of 2018

M.Venkateswaran

.. Petitioner

-VS-

The Inspector of Police,
Valapadi Police Station,
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 provide permission to conduct Village folk dance and other cultural programs on 06.08.2018 at Sri Arulmigu Mariamman Temple, Valapadi, Salem District by considering the petitioner's representation dated 23.07.2018.

For Petitioner :: Mr.R.Nalliyappan
For Respondent :: Mr.K.Bhuvaneswari
Additional Government Pleader

ORDER

The petitioner seeks a direction to the respondent to grant permission to conduct the cultural programme (Adal Padal) namely Village folk dance and other cultural programs at Sri Arulmigu Mariamman Temple, Valapadi, Salem District on 06.08.2018 by considering the petitioner's representation dated 23.07.2018.

2. The learned counsel appearing for the petitioner submitted that the petitioner is a resident of Salem and also claims to be the member of temple 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 respondent on 23.07.2018 seeking permission to conduct the cultural programme on 06.08.2018. 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 (Adal Padal) in connection with Village folk dance and other cultural programs at Sri Arulmigu Mariamman Temple, Valapadi, Salem District be held on 06.08.2018 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 IV)

//True Copy//

Sub Assistant Registrar

vga

To

The Inspector of Police,
Valapadi Police Station,
Salem District.

+1cc to Mr.R.Nalliyappan, Advocate, S.R.No.52731

+1cc to the Government Pleader, S.R.No.53231

W.P.No.19790 of 2018

BM 03/08/2018

सत्यमेव जयते
WEB COPY