



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.11.2018

CORAM:

WEB COPY THE HONOURABLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**
W.P.[MD].No.22722 of 2018

Jeya Prakash : Petitioner

Vs.

1.The Superintendent of Police,
Karur District,
Karur.

2.The Inspector of Police,
Vengamedu Police Station,
Karur District.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to grant permission and protection for cultural event namely Aadalpadal scheduled to be held on 15.11.2018 at night in connection with Ipasi Festival of Arulmigu Sri Madurai Veeran and Sri Muniyappa Samy Mariyamman Kovil at Periyakulathupalayam Village, Vengamedu Post, Karur District by considering the petitioner's representation dated 24.10.2018.

For petitioner : Mr.S.Sathya Chidambaram
For respondents : Mr.R.Anandharaj
Additional Public Prosecutor

ORDER

This Writ Petition has been filed to direct the second respondent to grant permission and protection for cultural event namely, Aadalpadal, scheduled to be held on 15.11.2018 in connection with Ipasi Festival of Arulmigu Sri Madurai Veeran and Sri Muniyappa Samy Mariyamman Kovil at Periyakulathupalayam Village, Vengamedu Post, Karur District, by considering the petitioner's representation dated 24.10.2018.

2. I am of the view that the need to approach this Court would not have arisen, if only the respondent police considered the request of the petitioner within a reasonable time, i.e., at least two days from the date of receipt of representation.

3. It is seen from the records that the representation has been submitted by the petitioner on 24.10.2018 and the writ petition has been filed on 13.11.2018. The said representation is pending for



more than 20 days thereby necessitating the petitioner to approach this court at the fag end.

4. A Hon'ble Division Bench of this Court in the order dated 10.08.2018 made in W.P(MD)Nos.17731 of 2018 etc., batch held that the persons, who seek permission to conduct cultural programme, are required to give representation at least two weeks before the proposal cultural programmes and thereafter, the directions, as given above, will have to be complied with by the police officer concerned.

5. In view of the above, since the representation has been given by the petitioner on 24.10.2018, i.e., before 20 days from the cultural programme, the respondent police is directed to pass appropriate order on the said representation immediately. In the event of granting permission, the respondent police shall impose the following conditions as has been imposed by this court in earlier orders, viz.,

(a) There should not be any kind of obscene dance or vulgar dialogues during the performance, by anyone of the participants.

(b) Double meaning songs should not be played as they will spoil the minds of students and youths.

(c) No dance or songs, touching upon any political party or religion or community or caste shall be played.

(d) No flex boards in support of any political party or communal leader, shall be erected at the premises of the programme.

(e) The function shall not affect either religious or communal harmony and shall be conducted without any discrimination based on caste.

(f) 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

(g) Similarly, the police is directed to stop the dance programme, if it is conducted beyond the permitted time limit.

(h) The petitioner as well as the organizers shall give a letter of undertaking agreeing to strictly adhere to the above conditions.

(i) The respondent is directed to issue necessary permission, incorporating the above conditions.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //



To

1.The Superintendent of Police,
Karur District,
Karur.

2.The Inspector of Police,
Vengamedu Police Station,
Karur District.

+1 CC To MR.S.SATHYA CHIDAMBARAM, Advocate SR. NO. 95304

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14.11.2018

MM

TR/SV/SAR-IV(14.11.2018) 3P 4C