

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 04.02.2019

CORAM
THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.2921 of 2019

K.Karthikeyan

.. Petitioner

Vs

The Inspector of Police,
Pallapatti Police Station,
Pallapatti,
Salem District

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent authority to give police protection and permission to conduct Cultural programme (Gramiya Nadana Nigalchi) in the event of Meiyannur Arulmigu Sree Sakthi Mariamman Temple Festival at Salem Taluk & District on 08.02.2019 between 06.00 p.m. to 11.00 p.m. by considering the petitioner's representation dated 28.02.2019.

For Petitioner : Mr.A.Sathishkumar

For Respondents: Mr.T.Shunmugarajeswaran
Government Advocate

O R D E R

Seeking permission to conduct cultural programme in the event of "Meiyannur Arulmigu Sree Sakthi Mariamman Temple Festival" at Salem Taluk & District, the petitioner made a representation dated 28.01.2019 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 appearing for the respondent.

3. Learned Government Advocate, 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, this petition is allowed and the petitioner is permitted to conduct cultural programme in the event of "Meiyannur Arulmigu Sree Sakthi Mariamman Temple Festival" at Salem Taluk & District

however with the following conditions:-

(a) The cultural programme in connection with the event of "Meiyanur Arulmigu Sree Sakthi Mariamman Temple Festival" at Salem Taluk & District shall be conducted on 08.02.2019 between 06.00 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 so as to 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(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
Pallapatti Police Station,
Pallapatti,
Salem District

2. The Government Advocate,
High Court of Madras

+1cc to Mr.A.Sathishkumar, Advocate, S.R.No.9344

Cr1.O.P.No.2921 of 2019

rrs 06/02/2019