

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 07.02.2019
CORAM:
THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.3651 of 2019

V.Sakthivel

... Petitioner

Vs

The Inspector of Police,
Dharapuram Police Station,
Dharapuram,
Tiruppur District.

... Respondent

Prayer: Writ Petition filed under Section 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondent to grant permission and police protection to the petitioner to conduct cultural programme in the evening on 09.02.2019 as part of Thendharai Arulmighu Periya Kalamman Temple festival at Dharapuram of Tiruppur District by considering petitioner's representation dated 28.01.2019.

For Petitioner : Mr.N.Ponraj
For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

Seeking permission to conduct cultural programme in the event of Thendharai Arulmighu Periya Kalamman Temple festival at Dharapuram of Tiruppur 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 Additional Public Prosecutor appearing for the respondent.

3.The learned Additional Public Prosecutor, 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, the petitioner is permitted to conduct cultural programme in the

event of Thendharai Arulmighu Periya Kalamman Temple festival at Dharapuram of Tiruppur District however with the following conditions:-

(a) The cultural programme in connection with the event of Thendharai Arulmighu Periya Kalamman Temple festival at Dharapuram of Tiruppur District shall be conducted on 09.02.2019.

(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 cultural programme, if it is played beyond the permitted time limit.

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

5. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
Dharapuram Police Station,
Dharapuram,
Tiruppur District.

2.The Additional Public Prosecutor,
High Court, Madras.

+1cc to Mr.N.Ponraj, Advocate, S.R.No.10651

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MPI(CO)

GSP(08/02/2019)