

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 08.02.2019

CORAM
THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.3746 of 2019

P.Chithaiyan

... Petitioner

Versus

1.The Commissioner of Police,
Salem District.

2.The Inspector of Police,
Steel Plant Police Station,
Salem District-636 005.

... Respondents

Prayer:- Writ petition has been filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, directing the respondents herein to pass orders on the representation of the petitioner dated 31.01.2019, thereby the respondents to grant permission and protection for conducting cultural programme on 10.02.2019, night between 07.30 p.m to 10.30 p.m at Thalavaipatty Village, Chittanoor Sri Chinnamariyamman Kovil Tiddal, Salem West Taluk, Salem District-636 302.

For Petitioner : Mr.T.Dhasarathan

For R1 & R2 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

Seeking permission to conduct cultural programme in the event of Chittanoor Sri Chinnamariyamman Kovil Tiddal, Salem West Taluk, Salem District, the petitioner made a representation dated 31.01.2019 to the respondents. 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 respondents.

3. 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 Chittanoor Sri Chinnamariyamman Kovil Tiddal, Salem West Taluk, Salem District, however with the following conditions:-

(a) The cultural programme in connection with the event of Chittanoor Sri Chinnamariyamman Kovil Tiddal, Salem West Taluk, Salem District, shall be conducted on 10.02.2019 between 07.30 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 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.

5. Accordingly, this writ petition is disposed of.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

vv2/rm

To

1.The Commissioner of Police,
Salem District.

2.The Inspector of Police,
Steel Plant Police Station,
Salem District-636 005.

WEB COPY

3.The Public Prosecutor
High Court, Madras.

+lcc to Mr.T.Dhasarathan, Advocate, S.R.No.11174

W.P.No.3746 of 2019

MPI (CO)

rrs 08/02/2019



WEB COPY