

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2019

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.10491 of 2019

K.Saravanan

... Petitioner

Vs.

1.The District Superintendent of Police
Vellore District, Vellore

2.The Inspector of Police
Kandhili Police Station
Vellore District

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus, directing the 2nd respondent herein to grant permission and protection for conducting dance program on 19.04.2019 in Aulmighu Vekkaliyamman Temple, Karagapatti Village, Tirupathur Taluk, Vellore District.

For Petitioner : Mr.S.V.Karthikeyan

For Respondents : Mr.M.Mohamed Riyaz
Addl. Public Prosecutor

ORDER

This petition has been filed seeking permission and protection for conducting dance program on 19.04.2019 in Aulmighu Vekkaliyamman Temple, Karagapatti Village, Tirupathur Taluk, Vellore District. The petitioner made a representation to the 2nd respondent herein for the same. 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.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 dance program on 19.04.2019 in Aulmighu Vekkaliyamman Temple, Karagapatti Village, Tirupathur Taluk, Vellore District, with the following conditions:-

(a) The petitioner shall pay a sum of Rs.10,000/- (Rupees ten thousand only) as charges, to the 2nd respondent Police and on receipt of the same, the respondent Police is directed to issue receipt and proceed further.

(b) The dance program on 19.04.2019 in Aulmighu Vekkaliyamman Temple, Karagapatti Village, Tirupathur Taluk, Vellore District shall be conducted on 19.04.2019 between 06.00 p.m. and 10.00 p.m.

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

(d) Double meaning songs should not be played so as to spoil the minds of students and youths.

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

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

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

(h) 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

(i) Similarly, the respondent police is directed to stop the dance programme, if it is played beyond the permitted time limit.

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

5. With the above directions, this Criminal Original Petition stands allowed.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1.The District Superintendent of Police
Vellore District, Vellore

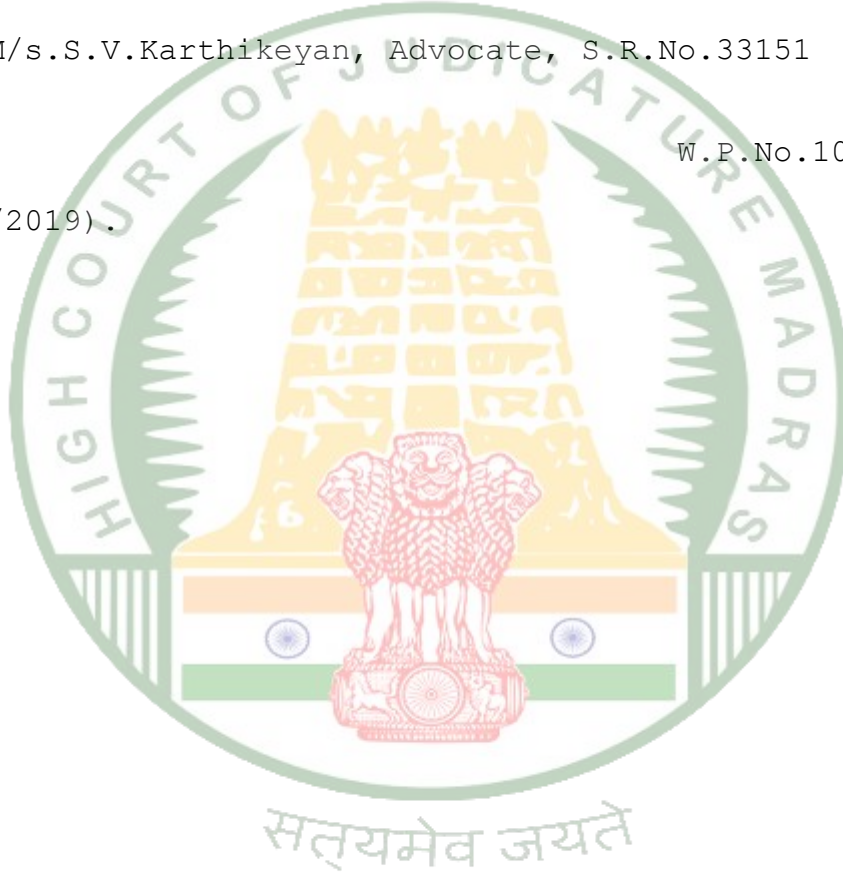
2.The Inspector of Police
Kandhili Police Station
Vellore District

3.The Public Prosecutor
High Court, Madras

+1 cc to M/s.S.V.Karthikeyan, Advocate, S.R.No.33151

W.P.No.10491 of 2019

CP(CO)
SSM(10/04/2019).



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