

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.05.2019

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THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.15023 of 2019

K.Sampath

.. Petitioner

-vs-

The State of Tamil Nadu
rep. by the Inspector of Police,
Omerabad Police Station,
Omerabad, Ambatur Taluk,
Vellore District.

.. Respondent

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondent authority to give permission to conduct the cultural programme at Sri Nemmeli Amman Temple Festival on 06.06.2019 at night 7.00 to 11.00 p.m. in Vanniyanathapuram Village, Mittalam Post, Ambur Taluk, Vellore District-635 811.

For Petitioner :: Mr.S.Pachaiyappan

For Respondent :: Mr.M.Elumalai,
Government Advocate

ORDER

The petitioner seeks a direction to the respondent to grant permission to conduct the cultural programme in Sri Nemmeli Amman Temple Festival in Vanniyanathapuram Village, Mittalam Post, Ambur Taluk, Vellore District-635 811 on 06.06.2019 by considering the petitioner's representation dated 21.05.2019.

2. The learned counsel appearing for the petitioner submitted that the petitioner is a resident of Vanniyanathapuram Village, Mittalam Post, Ambur Taluk, Vellore District and also claims to be the Dharmakatha of Sri Nemmeli Amman Temple Vizha Committee. Since the committee has been conducting the cultural programmes as a part of temple festival every year in a peaceful manner without any untoward incident in the past, he has submitted

a representation to the respondent on 21.05.2019 seeking permission to conduct the cultural programme on 06.06.2019. As the said representation has not been considered by the respondent so far, the petitioner is before this Court.

3. Heard the learned Government Advocate, who takes notice on behalf of the respondent.

4. At the outset, I am not inclined to grant such a prayer because in general, in the name of cultural programmes, it came to light that some obscene activities leading to group/communal clash are taking place, resulting in filing of many cases against each group. In order to put an end to such an activity and to maintain peace and tranquillity, this Court is of the view that the writ jurisdiction cannot be used to direct such authorities to grant permission to conduct the cultural programme. However, it is for the concerned Law and Order Agency to take a decision whether or not such permission has to be granted by taking into consideration of the overall ground situation and the reality in that area.

5. With the above observation, the Writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

vsi2/tsi

To
The Inspector of Police
Omerabad Police Station,
Omerabad, Ambatur Taluk,
Vellore District.

+1cc to Mr.S.Pachaiyappan , Advocate SR.No. 44372

+1 cc to Government Pleader Sr.No. 44503

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A.SK(06/06/2019)