

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.06.2019

CORAM

THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.15135 of 2019

G.Chandrasekaran

.. Petitioner

Vs.

1. The Superintendent of Police,
Dharmapuri, Dharmapuri District-635 001.

2. The Inspector of Police,
Thoppur Police Station,
Nallampalli Taluk,
Dharmapuri District-636 807.

... Respondents

Prayer:

Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent to grant permission to perform the programme of Adal Padal on 21.06.2019 at about 6.00 p.m. to 11.00 p.m. at "Sri Mariamman Temple festival" is situated at Old Elagiri Village, Elagiri Post, Nallampalli Taluk, Dharmapuri District and to provide adequate police protection based on the petitioner's representations dated 06.06.2019.

For Petitioner : Mr.S.Mayilnathan

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

सत्यमेव जयते
O R D E R

Seeking permission to conduct cultural programme in the event of temple festival of Sri Mariamman Temple situated at Old Elagiri Village, Elagiri Post, Nallampalli Taluk, Dharmapuri District, the petitioner made a representation dated 06.06.2019 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 temple festival of Mariamman Temple which is situated at Old Elagiri Village, Elagiri Post, Nallampalli Taluk, Dharmapuri District, on 21.06.2019, however with the following conditions:-

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

(b) The cultural programme in connection with Mariamman Temple which is situated at Old Elagiri Village, Elagiri Post, Nallampalli Taluk, Dharmapuri District, shall be conducted on 21.06.2019 between 06.00 p.m. and 11.00 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 police is directed to stop the dance programme, if it is played beyond the permitted time limit.

(j) The 2nd 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 IX)

//True Copy//

Sub Assistant Registrar

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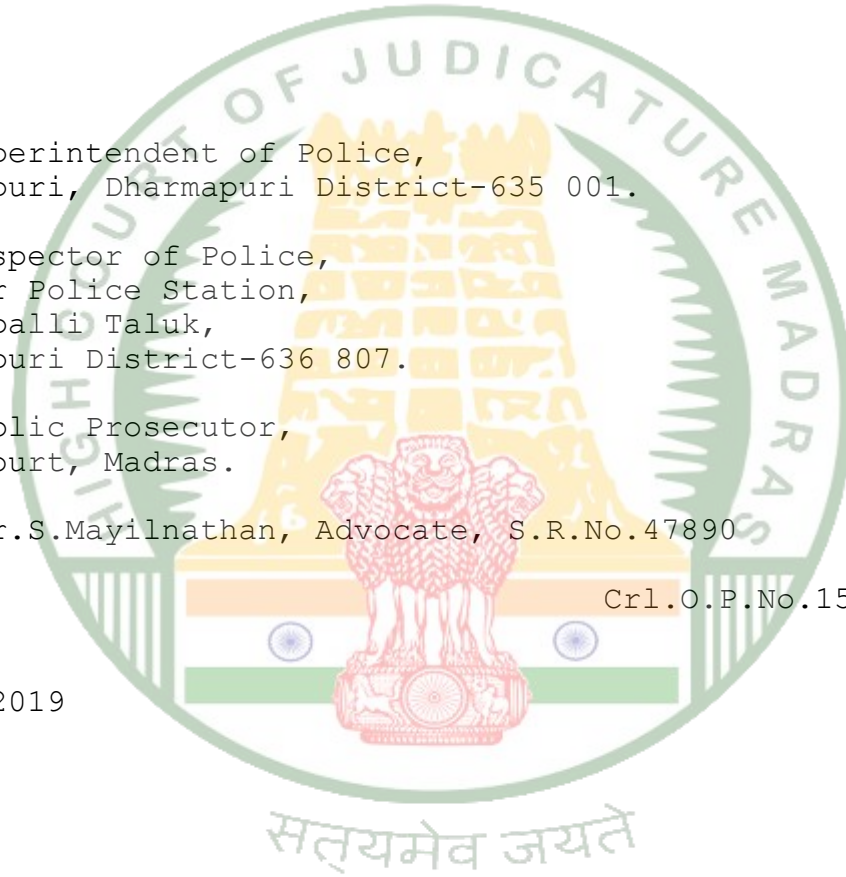
To

1. The Superintendent of Police,
Dharmapuri, Dharmapuri District-635 001.
2. The Inspector of Police,
Thoppur Police Station,
Nallampalli Taluk,
Dharmapuri District-636 807.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Mayilnathan, Advocate, S.R.No.47890

Cr1.O.P.No.15135 of 2019

NM(CO)
CS/14/06/2019



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