

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2020

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.6007 of 2020

E.Sasikumar

... Petitioner

Vs.

The Sub Inspector of Police,  
Vennandur Police Station,  
Namakkal District.

... Respondent

Prayer:- Writ petition has been filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorarified Mandamus, calling upon the entire records in pursuant to the impugned order issued by the respondent dated 29.02.2020 and quash the same and consequently direct the respondent to give permission to the petitioner to conduct a Cultural Program (Adalum Padalum) Schedule to be held on 10.03.2020 at "Shri Chellandi Amman Shri Periya Mariamman Temple" Irrataikottaikadu, Alavaipatti Post, Namakkal.

For Petitioner : Mr.A.Manojkumar

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

O R D E R

Seeking permission to conduct cultural programme in the event of "Shri Chellandi Amman Shri Periya Mariamman Temple" Irrataikottaikadu, Alavaipatti Post, Namakkal, the petitioner made a representation dated 29.02.2020 to the respondent. As the same has not been considered, the present Criminal Original petition has been filed.

2. By consent, the writ petition itself is taken up for final disposal.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

4. Learned Additional Public Prosecutor, on instructions, would submit that there is likelihood of arising law and order problem.

5. 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 "Shri Chellandi Amman Shri Periya Mariamman Temple" Irrataikottaikadu, Alavaipatti Post, Namakkal., however with the following conditions:-

(a) The cultural programme in connection with the event of "Shri Chellandi Amman Shri Periya Mariamman Temple" Irrataikottaikadu, Alavaipatti Post, Namakkal, shall be conducted on 10.03.2020 between 06.00 p.m. and 10.00 p.m.

(b) 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.

(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

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

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

6. With the above directions, this Writ Petition stands allowed. No costs.

Sd/-

Assistant Registrar (C.S.II)

/True copy/

Sub Assistant Registrar

To

1. The Sub Inspector of Police,  
Vennandur Police Station,  
Namakkal District.

2. The Public Prosecutor  
High Court, Madras.

+1cc to Mr.A.Manoj Kumar, Advocate Sr.No.20454

AKM/09.03.2020 /3P-4C/

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