



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.05.2022

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.NO.12924 OF 2022

Harivignesh

... Petitioner

.Vs.

The Inspector of Police,
Kannankurichi Police Station,
Salem Taluk and District.

... Respondent

PRAYER:-

Writ Petition is filed under Section 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to give permission to conduct the cultural and dance program in the event of the festival of Arulmigu Periya Maariamman Temple at Kannankurichi, Salem, on 19.05.2022 from 6.00 p.m. to 10.30 p.m. based on the petitioner's representation dated 14.05.2022.

For Petitioner : Mr.R.Suryaprakash

For Respondent : Mr.E.Raj Thilak
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the respondent to give permission to conduct the cultural and dance program in the event of the festival of Arulmigu Periya Maariamman Temple at Kannankurichi, Salem, on 19.05.2022 from 6.00 p.m. to 10.30 p.m. based on the petitioner's representation dated 14.05.2022

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.

WEB COPY

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 Arulmigu Periya Maariamman Temple at Kannankurichi, Salem, however with the following conditions:-

(a) The respondent is directed to issue permission for conducting cultural programme in connection with the event of Arulmigu Periya Maariamman Temple at Kannankurichi, Salem, on 19.05.2022 from 6.00 p.m. to 10.30 p.m.

(b) The petitioner shall pay a cost of Rs.10,000/- (Rupees Ten Thousand only) to the respondent police towards police protection.

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



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

WEB COPY

Sd/-
Vacation Officer

//True Copy//

Sub Assistant Registrar

mkn/dk

To

1. The Inspector of Police,
Kannankurichi Police Station,
Salem Taluk and District.
2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Suryaprakash, Advocate, S.R.No.31564

W.P.NO.12924 OF 2022

JPL(CO)
PBS/19/05/2022