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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.05.2022

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THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

W.P.No.12957 of 2022

S.Vijayabaskaran

...Petitioner

Vs.

1. The Superintendent of Police,
Tiruppur,
Tiruppur District - 641 601.

2. The Inspector of Police,
Moolanur Police Station,
Dharapuram Taluk
Tiruppur District - 639 202.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Mandamus or any other in the nature of writ, directing the first and second Respondents to grant permission to conduct the cultural programme of Adal Padal on 24.05.2022 at 6.00 pm to 11.00 pm at "Sri Mariamman Temple Festival" at Kannivadi Village, Kannivadi Post, Dharapuram Taluk, Tiruppur District by consider and pass orders on the representation dated 06.05.2022 made by the petitioner.

For Petitioner : Mr.S.Mayilnathan

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

O R D E R

This petition has been filed to direct the respondents to consider the petitioner's representation dated on 06.05.2022 and to grant permission to conduct the cultural program which is schedule to be held on 24.05.2022 in connection with the Sri Mariamman Temple Festival at Kannivadi Village, Kannivadi Post, Dharapuram Taluk, Tiruppur District.



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 cultural programme in the event of "Sri Mariamman Temple Festival" at Kannivadi Village, Kannivadi Post, Dharapuram Taluk, Tiruppur District, however with the following conditions:-

(a) The cultural programme in connection with the event of Sri Mariamman Temple Festival at Kannivadi Village, Kannivadi Post, Dharapuram Taluk, Tiruppur District on 24.05.2022 between 6.00 pm to 11.00 pm.

(b) The petitioner shall pay a cost of Rs.10,000/- (Rupees Ten Thousand only) to the respondents 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 Respondents are directed to issue necessary permission, incorporating the above conditions.



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5. With the above directions, this Writ Petition stands allowed.

Sd/-
Assistant Registrar/
Vacation Officer

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,
Tiruppur,
Tiruppur District - 641 601.
2. The Inspector of Police,
Moolanur Police Station,
Dharapuram Taluk,
Tiruppur District - 639 202.
3. The Public Prosecutor,
High Court, Madras.

W.P.No.12957 of 2022

KV(CO)
RGA(23/05/2022)