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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.13003 of 2022

P.Kandasamy

.. Petitioner

Vs.

The Inspector of Police,
Namakkal Police Station,
Namakkal Town, Namakkal District.

.. Respondent

Prayer: Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus, directing the respondent authority to give permission to conduct Cultural Programme (Adal Padal Nigalchi) in the event of Coolipatti Village Arulmigu Sree Kanagu Mariamman Temple Festival at Senthamangalam Taluk, Namakkal District on 30.05.2022 between 06.00PM to 11.00PM by considering the petitioner's representation dated 06.05.2022.

For Petitioner : Mr.C.Nandhakumar

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

O R D E R

This petition has been filed to direct the respondent authority to give permission to conduct Cultural Programme (Adal Padal Nigalchi) in the event of Coolipatti Village Arulmigu Sree Kanagu Mariamman Temple Festival at Senthamangalam Taluk, Namakkal District on 30.05.2022 between 06.00PM to 11.00PM by considering the petitioner's representation dated 06.05.2022.

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 Coolipatti Village Arulmigu Sree Kanagu Mariamman Temple Festival at Senthamangalam Taluk, Namakkal District however with the following conditions:-

(a) The cultural programme in connection with the event of Coolipatti Village Arulmigu Sree Kanagu Mariamman Temple Festival at Senthamangalam Taluk, Namakkal District on 30.05.2022 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 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 Criminal Original Petition stands allowed.

Sd/-
VACATION OFFICER

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
Namakkal Police Station,
Namakkal Town, Namakkal District.
2. The Public Prosecutor,
High Court, Madras.

W.P.No.13003 of 2022

SSD(CO)
CT 24/05/2022