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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.13036 of 2022

R.Uthira Kumar

... Petitioner

Vs.

The State of Tamil Nadu,
Represented by,
The Inspector of Police,
Omerabad Police Station,
Omerabad,
Thirupathur District.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, pleased to issue a Writ of Mandamus or any other in the nature of writ, directing the respondent authority to give permission to conduct the cultural dance program at Sri Nemmeli Amman Temple Festival on 02.06.2022 at 6.00 pm to 10.00 pm at Vanniyanathapuram Village, Mittalam Post, Ambur Taluk, Thirupathur District - 635 811.

For Petitioner : Mr.S.Pachaiyappan

For Respondent : Mr.E.Raj Thilak

Additional Public Prosecutor

O R D E R

This petition has been filed to direct the respondent to grant permission to conduct the cultural dance programme which is scheduled to be held on 02.06.2022 in connection with the "Sri Nemmeli Amman Temple Festival" at Vanniyanathapuram Village, Mittalam Post, Ambur Taluk, Thirupathur District - 635 811.

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 "Sri Nemmeli Amman Temple Festival" at Vanniyanathapuram Village, Mittalam Post, Ambur Taluk, Thirupathur District, however with the following conditions:-

(a) The cultural programme in connection with the event of "Sri Nemmeli Amman Temple" Festival at Vanniyanathapuram Village, Mittalam Post, Ambur Taluk, Thirupathur District on 02.06.2022 between 6.00 pm and 11.00pm.

(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.

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Sd/-
Vacation Officer

True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
Omerabad Police Station,
Omerabad, Thirupathur District.
2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Pachaiyappan, Advocate, S.R.No.31593

W.P.No.13036 of 2022

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NSK/20/05/2022