



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 18.05.2022

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WEB COPY

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

W.P.No.13070 of 2022

Prabu

.. Petitioner

Vs.

1.The Superintendent of Police,
Salem, Salem District.

2.The Inspector of Police,
Kolathur Police Station,
Salem District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus, directing the 2nd respondent to grant permission and protection to conduct the cultural program scheduled to be held on 26.05.2022 at about 07.00 PM to 10.00 PM at Sri Kullanari Mariyamman Temple situated at Pudhuvelamangalam Village, Sethukuzhi Post, Dhinnapatti, Salem District by considering the petitioner representation dated 16.05.2022.

For Petitioner : Mr.M.R.Elavarasan

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

O R D E R

This petition has been filed to direct the 2nd respondent to grant permission and protection to conduct the cultural program scheduled to be held on 26.05.2022 at about 07.00 PM to 10.00 PM at Sri Kullanari Mariyamman Temple situated at Pudhuvelamangalam Village, Sethukuzhi Post, Dhinnapatti, Salem District by considering the petitioner representation dated 16.05.2022.

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.



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 Kullanari Mariyamman Temple situated at Pudhuvelamangalam Village, Sethukuzhi Post, Dhinnapatti, Salem District however with the following conditions:-

(a) The cultural programme in connection with the event of Sri Kullanari Mariyamman Temple situated at Pudhuvelamangalam Village, Sethukuzhi Post, Dhinnapatti, Salem District on 26.05.2022 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 2nd respondent is directed to issue necessary permission, incorporating the above conditions.

5. With the above directions, this Criminal Original Petition stands allowed.

Sd/-

Assistant Registrar(Vacation Officer)

//True Copy//

Sub Assistant Registrar

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To

1.The Superintendent of Police,
Salem, Salem District.

2.The Inspector of Police,
Kolathur Police Station,
Salem District.

3.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.M.R.Elavarasan, Advocate Sr.NO. 31650

W.P.No.13070 of 2022

ssd(CO)

A.SK(23/05/2022)