

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 01.06.2022

CORAM

THE HONOURABLE Mr.JUSTICE C.V.KARTHIKEYAN

W.P.No.13316 of 2022

A.Sankar

... Petitioner

Vs.

1. The Superintendent of Police
Tiruvallur District.

2. The Inspector of Police
D-4 Defendant, R.K.Pet Police Station,
R.K. Pet.
Tiruvallur District

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to give police protection and permit the petitioner to conduct the cultural programs and other events of Shri Ellaiamman Temple festival event of Theemethi Thriviliya festival in "Krishnakuppam Village", R.K.Pet Post, R.K. Pet Taluk, Tiruvallur District, during the period of 01.06.2022 to 05.06.2022 and especially the dance program will be conduct on 05.06.2022 by considering petitioner representation dated 22.05.2022.

For Petitioner : Mr. K.Venkatesan

For Respondents: Mr.R.Vinothraja
Government Advocate (Crl. Side)

O R D E R

This petition has been filed to direct the respondents to give police protection and permit the petitioner to conduct the cultural programs and other events of "Shri Ellaiamman Temple" festival event of Theemethi Thriviliya festival in Krishnakuppam Village, R.K.Pet Post, R.K. Pet Taluk, Tiruvallur District, during the period of 01.06.2022 to 05.06.2022 and especially the dance program will be conduct on 05.06.2022 by considering petitioner representation dated 22.05.2022.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent.

3. The learned Government Advocate (Criminal Side), 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 "Shri Ellaiamman Temple" festival event of Theemethi Thriviliya festival in Krishnakuppam Village, R.K.Pet Post, R.K. Pet Taluk, Tiruvallur District, with the following conditions:-

(a) The cultural programme in connection with the event of "Shri Ellaiamman Temple" festival event of Theemethi Thriviliya festival in Krishnakuppam Village, R.K.Pet Post, R.K. Pet Taluk, Tiruvallur District, during the period of 01.06.2022 to 05.06.2022 and especially the dance program will be conduct on 05.06.2022.

(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 Writ Petition stands allowed.

Sd/-
Vacation Officer

//True copy//

Sub Assistant Registrar

vsg/ep

To

1. The Superintendent of Police
Tiruvallur District.
2. The Inspector of Police
D-4 Defendant, R.K.Pet Police Station,
R.K. Pet.
Tiruvallur District
3. The Public Prosecutor,
High Court, Madras.

W.P.No.13316 of 2022

AJB(CO)
GMV(03/06/2022)