



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2022

CORAM

THE HONOURABLE Mr.JUSTICE C.V.KARTHIKEYAN

W.P.No.13367 of 2022

M.Elumalai

... Petitioner

Vs.

1.The Superintendent of Police,
Tiruvannamalai,
Tiruvannamalai District - 606 601.

2.The Inspector of Police,
Kalambur Police Station,
Polur Taluk,
Tiruvannamalai District - 606 907.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the first and second respondents to grant permission to conduct the cultural programme of Adal Padal on 06.06.2022 at 06.00 p.m. To 11.00 p.m. at "Sri Mariamman Temple festival" Ariyathur Village, Gudalur Post, Polur Taluk, Tiruvannamalai District by consider and pass orders on the representation dated 17.05.2022 made by the petitioner within the time frame as may be fixed by this Court.

For Petitioner : Mr.G.Satheesh

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

O R D E R

This petition has been filed to direct the respondents authorities to give permission to conduct a Cultural program schedule to be held on 06.06.2022 in "Sri Mariamman Temple festival" Ariyathur Village, Gudalur Post, Polur Taluk, Tiruvannamalai District by considering the petitioner representation dated 17.05.2022.



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

3. The learned Government Advocate (Crl. 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 "Sri Mariamman Temple festival" Ariyathur Village, Gudalur Post, Polur Taluk, Tiruvannamalai District however with the following conditions:-

(a) The cultural programme in connection with the event of "Sri Mariamman Temple festival", at Ariyathur Village, Gudalur Post, Polur Taluk, Tiruvannamalai District on 06.06.2022 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.

(k) The petitioner is directed to give a fresh representation to conduct the festival on or before 04.06.2022 and also to give an undertaking before the respondent police that no law and order problem is created in the course of conducting the cultural programme.



WEB COPY

5. With the above directions, this Writ Petition stands allowed. No costs.

Sd/-

Vacation Officer

//True Copy//

Sub Assistant Registrar

tri/mrm

To

- 1.The Superintendent of Police,
Tiruvannamalai,
Tiruvannamalai District - 606 601.
- 2.The Inspector of Police,
Kalambur Police Station,
Polur Taluk,
Tiruvannamalai District - 606 907.
- 3.The Public Prosecutor,
High Court, Madras.

W.P.No.13367 of 2022

AD (CO)
PR (03/06/2022)