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IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 01.06.2022
CORAM

THE HONOURABLE Mr.JUSTICE C.V.KARTHIKEYAN

W.P.No.13602 of 2022

S.Selvarasu .. Petitioner

Vs.

The Sub-Inspector of Police,
Keelkuppam Police Station,
Kallakurichi District. .. Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondent police to give permission and police protection to conduct cultural programme (Adal Padal Nigalchi) in the event of Arulmighu Sri Muthumariamman Temple Festival at V.Mamandur Village, Chinnasalem Taluk, Kallakurichi District on 01.06.2022 between 8.00 PM to 11.00 PM by considering the petitioner's representation dated 26.05.2022.

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

O R D E R

This petition has been filed to direct the respondent police to give permission and police protection to conduct cultural programme (Adal Padal Nigalchi) in the event of Arulmighu Sri Muthumariamman Temple Festival at V.Mamandur Village, Chinnasalem Taluk, Kallakurichi District on 01.06.2022 between 8.00 PM to 11.00 PM by considering the petitioner's representation dated 26.05.2022.

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 Arulmighu Sri Muthumariamman Temple Festival at

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V.Mamandur Village, Chinnasalem Taluk, Kallakurichi District however with the following conditions:-

(a) The cultural programme in connection with the event of Arulmighu Sri Muthumariamman Temple Festival at V.Mamandur Village, Chinnasalem Taluk, Kallakurichi District on 01.06.2022 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.

(h) The respondent Police shall ensure that the petitioner does not create an atmosphere, which will lead to law and order problem. If any such eventuality arises, the respondent Police is at liberty to take action in accordance with law.

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

Sd/-
Assistant Registrar(Vacation Officer)

//True Copy//

Sub Assistant Registrar

rna

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To

1.The Sub-Inspector of Police,
Keelkuppam Police Station,
Kallakurichi District.

2.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.R.Jayaprakash, Advocate Sr.NO. 31966

W.P.No.13602 of 2022

PM(CO)
A.SK(01/06/2022)

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