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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.13654 OF 2022

Ganesan

... Petitioner

Vs.

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

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

... Respondents

Prayer:

Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the second respondent to give the permission and police protection to conduct the cultural program (Kiramiya Palsuvai Nadana Nikalchi Adal Padal) in the event of Sri Muppanar, Sri Arulmigu Selva Mariyamman Temple Chariot Festival at Keeripatti Village, Attur Taluk, Salem District which scheduled to be held on 07.06.2022 at 06.00 PM to 11.00 PM by considering the petitioner representation dated 24.05.2022.

For Petitioner : Mr.A.Ramesh

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

O R D E R

This petition has been filed to direct the second respondent to give the permission and police protection to conduct the cultural program (Kiramiya Palsuvai Nadana Nikalchi Adal Padal) in the event of Sri Muppanar, Sri Arulmigu Selva Mariyamman Temple Chariot Festival at Keeripatti Village, Attur Taluk, Salem District which scheduled to be held on 07.06.2022 at 06.00 PM to 11.00 PM by considering the petitioner representation dated 24.05.2022.



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

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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 Muppanar, Sri Arulmigu Selva Mariyamman Temple Chariot Festival" at Keeripatti Village, Attur Taluk, Salem District however with the following conditions:-

(a) The cultural programme in connection with the event of "Sri Muppanar, Sri Arulmigu Selva Mariyamman Temple Chariot Festival" at Keeripatti Village, Attur Taluk, Salem District on 07.06.2022 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 2nd respondent is directed to issue necessary permission, incorporating the above conditions.



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

Sd/-
Vacation Officer

//True Copy//

Sub Assistant Registrar

sp/ab

To

1. The District Superintendent of Police,
Salem District,
Salem.
2. The Inspector of Police,
Mallikarai Police Station,
Salem District.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.A.Ramesh, Advocate, S.R.No.31992

W.P.No.13654 of 2022

NK(CO)
PM/03/06/2022