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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.06.2022

CORAM

THE HONOURABLE Mr.JUSTICE C.V.KARTHIKEYAN

W.P.No.14005 of 2022
and W.M.P.No.13259 of 2022

P.Suresh

... Petitioner

Vs.

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

2. The Inspector of Police,
Polur Police Station,
Thiruvannamalai District.

3. The Sub-Inspector of Police,
Polur Police Station,
Thiruvannamalai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the Impugned Reply of the 3rd respondent vide Na.Ka.No.13/Ka.Ne.Poo./2022, Dated 20/05/2022 and quash the same as illegal and directing the 2nd respondent to give permission to the Organizing Committee headed by the Petitioner to conduct Cultural Dance program on 05.06.2022 in Sri Gangaianman Kovil, Sengunam Village, Polur Taluk, Thiruvannamalai District.

For Petitioner : Mr.S.B.Viswanathan

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

O R D E R

This petition has been filed to call for the records pertaining to the Impugned Reply of the 3rd respondent vide Na.Ka.No.13/Ka.Ne.Poo./2022, Dated 20/05/2022 and quash the same



as illegal and directing the 2nd respondent to give permission to the Organizing Committee headed by the Petitioner to conduct Cultural Dance program on 05.06.2022 in Sri Gangaianman Kovil, Sengunam Village, Polur Taluk, Thiruvannamalai District.

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

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 Gangaianman Temple" at Sengunam Village, Polur Taluk, Thiruvannamalai District, however with the following conditions:-

(a) The cultural programme in connection with the event of "Sri Gangaianman Temple" at Sengunam Village, Polur Taluk, Thiruvannamalai District on 05.06.2022 between 06.00 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 an undertaking before the respondent police that no law and order problem would be created in the course of conducting the cultural programme.

5. With the above directions, this Writ Petition stands allowed. Consequently, the connected miscellaneous petition is closed and the Impugned Reply of the 3rd respondent vide Na.Ka.No.13/Ka.Ne.Poo./2022, Dated 20/05/2022 is set aside.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar

rgi/kkn

To

1. The Superintendent of Police,
Thiruvannamalai District,
Thiruvannamalai.
2. The Inspector of Police,
Polur Police Station,
Thiruvannamalai District.
3. The Sub-Inspector of Police,
Polur Police Station,
Thiruvannamalai District.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Viswanathan, Advocate SR.No.31983

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and W.M.P.No.13259 of 2022

NR(CO)
CB(03/06/2022)