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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.14023 of 2022

K.Rajiv Gandhi

...Petitioner

Vs.

The Inspector of Police,
Kambainallur Police Station,
Dharmapuri District-635 202.

...Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondent to give permission and police protection to the petitioner to conduct a Cultural program (Adalum Padalum) scheduled to be held on 09.06.2022 "Arulmigu Shri Mariamman Temple" at Bathalahalli Village, Kathira Nayakkanaali Post, Karimangalam Vattam, Dharmapuri District-635303, by considering the petitioner representation dated 23.05.2022.

For Petitioner : Mr.D.Balakrishnan

For Respondent : Mr.R.Vinothraja

Government Advocate (Crl. Side)

O R D E R

This petition has been filed to direct the respondent to give permission and police protection to the petitioner conduct a Cultural program (Adalum Padalum) scheduled to be held on 09.06.2022 "Arulmigu Shri Mariamman Temple" at Bathalahalli Village, Kathira Nayakkanaali Post, Karimangalam Vattam, Dharmapuri District-635303, by considering the petitioner representation dated 23.05.2022.

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.

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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 "Arulmigu Shri Mariamman Temple" at Bathalahalli Village, Kathira Nayakkanaali Post, Karimangalam Vattam, Dharmapuri District-635303, however with the following conditions:-

(a) The cultural programme in connection with the event of "Arulmigu Shri Mariamman Temple" at Bathalahalli Village, Kathira Nayakkanaali Post, Karimangalam Vattam, Dharmapuri District-635303 on 09.06.2022 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.



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5. With the above directions, this Writ Petition stands allowed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

rgi/kkn

To

1. The Inspector of Police,
Kambainallur Police Station,
Dharmapuri District-635 202.
2. The Public Prosecutor,
High Court, Madras.

W.P.No.14023 of 2022

PM(CO)
SP(06/06/2022)