



W.P.No.35087 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.12.2022

CORAM

**THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN**

W.P.No.35087 of 2022

C.Sampath

... Petitioner

Vs.

1.The Superintendent of Police,  
Dharmapuri,  
Dharmapuri District – 636 704.

2.The Inspector of Police,  
Pennagaram Police Station,  
Pennagaram Taluk,  
Dharmapuri District – 636 810.

... Respondent

**Prayer:-** Writ petition has been filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, directing the first and second respondents to grant permission to conduct the cultural programme of Adal Padal on 29.12.2022 at 6.00 PM to 11.00 PM at “Sri Muniyappan Temple Kumbhabishekam festival” Uppalapuram Village, Thasampatti Post, Pennagaram Taluk, Dharmapuri District by consider and pass orders on the representation dated 23.12.2022 made by the petitioner within the time frame as may be fixed by this Court.



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W.P.No.35087 of 2022

For Petitioner : Mr.S.Mayilnathan

For Respondent : Mr.L.Baskaran  
Government Advocate

**ORDER**

Seeking permission to conduct cultural programme in the event of “Sri Muniyappan Temple Kumbhabishekam festival” Uppalapuram Village, Thasampatti Post, Pennagaram Taluk, Dharmapuri District, the petitioner made a representation dated 23.12.2022 to the respondent. As the same has not been considered, the present writ petition has been filed.

2. By consent, the writ petition itself is taken up for final disposal.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

4. Learned Additional Public Prosecutor, on instructions, would submit that there is likelihood of arising law and order problem.

5. 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



W.P.No.35087 of 2022

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 Muniyappan Temple Kumbhabishekam festival” Uppalapuram Village, Thasampatti Post, Pennagaram Taluk, Dharmapuri District, however with the following conditions:-

(a)The cultural programme in connection with the event of “Sri Muniyappan Temple Kumbhabishekam festival” Uppalapuram Village, Thasampatti Post, Pennagaram Taluk, Dharmapuri District, shall be conducted on 29.12.2022 between 06.00 p.m. and 10.00 p.m.

(b)The petitioner shall pay a sum of Rs.10,000/- (Rupees ten thousand only) as charges, to the respondent Police and on receipt of the same, the respondent Police is directed to issue receipt and proceed further.

(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.



WEB COPY



W.P.No.35087 of 2022

(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

(j) Similarly, the police is directed to stop the dance programme, if it is played beyond the permitted time limit.

(k) The respondent is directed to issue necessary permission, incorporating the above conditions.

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



W.P.No.35087 of 2022

28.12.2022

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Internet: Yes

Index: Yes/No

Speaking/Non speaking order

**Note: Issue order copy on 29.12.2022.**

ata/lbm

To

1.The Superintendent of Police,  
Dharmapuri,  
Dharmapuri District – 636 704.

2.The Inspector of Police,  
Pennagaram Police Station,  
Pennagaram Taluk,  
Dharmapuri District – 636 810.



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W.P.No.35087 of 2022

**A.A.NAKKIRAN, J.**

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W.P.No.35087 of 2022

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