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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.05.2023

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.14480 of 2023

R.Ramachandiran ... Petitioner

Vs.

The Inspector of Police,
Mangalapuram Police Station,
Mangalapuram,
Namakkal District. ... 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 respondent to give permission and police protection to conduct Cultural programme (Adal Padal Nigalchi) in the event of Tha.Ka.Palayam Village, Anna Nagar Arulmigu Sree Mariyamman Temple Festival at Rasipuram Taluk, Namakkal District on 10.05.2023 between 06.00 PM to 11.00 PM by considering the petitioner's representation dated 29.04.2023.

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For Petitioner : Mr.A.Sathishkumar

For Respondent : Mr.S.Santhosh
Government Advocate (Crl.Side)

ORDER

Seeking permission to conduct cultural programme in the event of Tha.Ka.Palayam Village, Anna Nagar Arulmigu Sree Mariyamman Temple Festival at Rasipuram Taluk, Namakkal District, the petitioner made a representation dated 29.04.2023 to the respondent. As the same has not been considered, the present Criminal Original 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 Government Advocate (Crl.Side) appearing for the respondent.

4. Learned Government Advocate (Crl.Side), 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

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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 Tha.Ka.Palayam Village, Anna Nagar Arulmigu Sree Mariyamman Temple Festival at Rasipuram Taluk, Namakkal District, however with the following conditions:-

(a) The cultural programme in connection with the event of Tha.Ka.Palayam Village, Anna Nagar Arulmigu Sree Mariyamman Temple Festival at Rasipuram Taluk, Namakkal District, shall be conducted on 10.05.2023 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

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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.

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

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There shall be no order as to costs. The uploaded copy can be utilised for the purpose of execution of the Order.

04.05.2023

Speaking Order/Non-Speaking Order
Index : Yes/No
Neutral Citation : Yes/No
jas/arb

To

1.The Inspector of Police,
Mangalapuram Police Station,
Mangalapuram,
Namakkal District.

2.The Public Prosecutor,
High Court, Madras.

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G.K.ILANTHIRAIYAN, J.

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