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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **17.05.2023**

CORAM

THE HONOURABLE Mr.JUSTICE **A.A.NAKKIRAN**

W.P.No.15742 of 2023

S.Ragupathi ... Petitioner

Vs.

1.The Superintendent of Police,
Erode, Erode District - 638 001.

2.The Inspector of Police,
Perundurai Police Station,
Perundurau Taluk,
Erode District - 638 057. ... Respondents

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 18.05.2023 at 06.00 PM to 11.00 PM at "Sri Maha Muniyappan Temple Festival" Maranayakanur Village, Seenapuram Post, Perundurai Taluk, Erode District by consider and pass orders on the representation dated 11.05.2023 made by the petitioner within the time frame

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as may be fixed by this Hon'ble Court.

For Petitioner : Mr.G.Satheesh

For Respondents : Mr.S.Vinoth Kumar,
Government Advocate (Crl. Side)

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ORDER

Seeking permission to conduct cultural programme in the event of ***"Sri Maha Muniyappan Temple Festival" Maranayakanur Village, Seenapuram Post, Perundurai Taluk, Erode District*** the petitioner made a representation dated ***11.05.2023*** 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 Government Advocate (Crl. Side) appearing for the respondent.

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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 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 Maha Muniyappan Temple Festival" Maranayakanur Village, Seenapuram Post, Perundurai Taluk, Erode District*** however with the following conditions:-

(a) The cultural programme in connection with the event of ***"Sri Maha Muniyappan Temple Festival" Maranayakanur Village, Seenapuram Post, Perundurai Taluk, Erode District*** shall be conducted on ***18.05.2023*** 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

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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 second respondent is directed to issue necessary permission, incorporating the above conditions.

6. With the above directions, this Writ Petition stands allowed. There shall be no order as to costs. The Web copy can be utilised for the purpose of execution of the Order.

17.05.2023

rna
Internet:Yes
Index:Yes/No
Speaking/Non speaking order

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To

1.The Superintendent of Police,
Erode, Erode District - 638 001.

2.The Inspector of Police,
Perundurai Police Station,
Perundurau Taluk,
Erode District - 638 057.

3.The Public Prosecutor
High Court, Madras.

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A.A.NAKKIRAN, J.

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