



W.P.No. 14477 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.05.2024

CORAM :

THE HONOURABLE MR. JUSTICE S. SOUNTHAR

W.P.No. 14477 of 2024

&

W.M.P.No.15749 of 2024

R. Uthira Kumar

... Petitioner

Versus

1.The State of Tamil Nadu Rep. by
The Inspector of Police,
Oomerabad Police Station,
Oomerebad, Thirupathur (District)

2.The Deputy Superintendent of Police,
Ambur DSP Office, Ambur, Thirupathur (District)

... Respondents

PRAYER : The Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order dated 26.05.2024 issued by the 1st respondent and set aside the same as arbitrary, unconstitutional and against law and consequently, direct the 1st respondent authority to give permission to conduct the cultural dance



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program at Sri Nemmeli Amman Temple festival on 30.05.2024 at 06 to 10 pm at Vanniyanathapuram Village, Mittalam Post, Ambur Taluk, Thirupathur District – 635 811.

For Petitioner : Mr. S.Pachaiyappan
For Respondents : Mr. S.Sugendran
Additional Public Prosecutor

ORDER

This petition has been filed to direct the 1st respondent to consider the petitioner's representation dated on 15.05.2024 and to give adequate police protection in order to conduct the cultural program which is schedule to be held on 30.05.2024 in Sri Nemmeli Amman Temple festival on 30.05.2024 at 06 to 10 pm at Vanniyanathapuram Village, Mittalam Post, Ambur Taluk, Thirupathur District – 635 811.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.



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3.The learned Additional Public Prosecutor, 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 Nemmeli Amman Temple festival on 30.05.2024 at 06 to 10 pm at Vanniyanathapuram Village, Mittalam Post, Amur Taluk, Thirupathur District – 635 811 however with the following conditions:-

(a) The cultural programme in connection with the event of Sri Nemmeli Amman Temple festival at Vanniyanathapuram Village, Mittalam Post, Amur Taluk, Thirupathur District – 635 811 shall be conducted on 30.05.2024 at 06 to 10 pm.

(b) The petitioner shall pay a cost of Rs.10,000/- (Rupees Ten Thousand only) to the respondent police towards police



protection.

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(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 1st 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.

Consequently, the connected miscellaneous petition is closed. No costs.

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Index: Yes/No

Speaking Order / Non-Speaking Order

Neutral Citation: Yes / No

To

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S. SOUNTHAR, J

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