



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2013

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P. (MD) No.14592 of 2013

WEB COPY

Ramamurthy

... Petitioner

Vs.

The Inspector of Police,
Thisaiyanvilai Police Station,
Tirunelveli District.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus to direct the respondent to give permission to conduct the dance programme in the event of function at Sri Esakkiamman Temple on 09.09.2013 at Sanganamkulam Village and Post, Nanguneri Taluk, Tirunelveli District.

For Petitioner	... Mr.R.Jayaprakash
For Respondent	... Mr.A.Muthu Karuppan, Additional Govt. Pleader

ORDER

Mr.A.Muthu Karuppan, learned Additional Government Pleader takes notice for the respondent.

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

3. According to the petitioner, he has given the representation to the respondent for permission to conduct the cultural programme. However, the said representation has not been considered so far and hence, the present writ petition has been filed.

4. The learned Additional Government Pleader appearing for the respondent, on instructions, would submit that he has no serious objection for granting permission for conducting the said cultural programme.

5. Considering the facts and circumstances of the case and also considering the submission of the learned Additional Government Pleader appearing for the respondent, the respondent police is directed to take into consideration the ground realities and grant permission for conducting the above said cultural programme, subject to the following conditions:

(i) There should not be any kind of obscene or vulgar dance during the performance by anyone of the participants;

(ii) The dance programme should be restricted between 06.00 p.m. and 10.00 p.m., on 09.09.2013;

(iii) if there is any violation, the concerned Police Officer is permitted to take necessary action as per law and stop such performance;

(iv) The petitioner should not put up any kind of flex boards or hoardings during the said cultural programme; and

(v) Similarly, the police is entitled to stop the dance programme, if it exceeds beyond the permitted time.



6. The Inspector of Police, Thisaiyanvilai Police Station, Tirunelveli District, is directed to issue permission incorporating the above conditions positively by 05.00 p.m., on 06.09.2013.

7. The writ petition is disposed of with the above directions. No costs.

WEB COPY

/True Copy/

Sd/-

Assistant Registrar(Records)

Sub Assistant Registrar

To:

The Inspector of Police,
Thisaiyanvilai Police Station,
Tirunelveli District.

+1CC to M/s.R.Jayaprakash, Advocate in SR.No.43749

+1cc to the Special Government Pleader in SR.No.43918

W.P. (MD) No.14592 of 2013
30.08.2013

rsb

PBK 05/09/2013 2P/4C