

M.Velmurugan Vs. Superintendent of Police of Erode District

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Court : Chennai

Decided On : May-16-2013

Judge : M.Venugopal

Appellant : M.Velmurugan

Respondent : Superintendent of Police of Erode District

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS DATED: 16.05.2013
CORAM THE HONOURABLE MR.JUSTICE M.VENUGOPAL Writ Petition
No.14195 of 2013 M.Velmurugan .Petitioner Vs 1.

The Superintendent of Police Erode District, Erode.

2.

The Inspector of Police Malayampalayam Police Station Malayampalayam, Erode District.Respondents Prayer:-Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to give permission to conduct the dance programme in the event of the Sr.Muniyappasamy Temple Festival on 25.05.2013 at Muniyappan Palayam, Gandhi Nagar, Malayampalayam Post, Pungai Kilampadi Village, Erode Taluk and District.

For Petitioner : Mr.K.T.Sivakumar For Respondents : Mr.M.S.Ramesh Additional Government Pleader

ORDER

The Petitioner sent a representation, dated 11.05.2013, to the 2nd Respondent/Inspector of Police, Malayampalayam Police Station, Malayampalayam, Erode District, for conducting cultural programmes like village dance, which is scheduled to be held on 25.05.2013.

2.According to the Learned Counsel for the Petitioner, the 2nd Respondent/Police has not passed any orders based on his representation, dated 11.05.2013.

3.In view of the fact that no orders have been passed by the 2nd Respondent/Police based on the representation of the Petitioner dated 11.05.2013, the Petitioner has been perforced to project the present Writ Petition before this Court seeking for issuance of an order in directing the Respondent in granting permission to conduct a cultural programme to be held on 25.05.2013 in the event of Sr.Muniyappasamy Temple Festival, Muniyappan Palayam, Gandhi Nagar, Malayampalayam, Pungai Kilampadi Village,Erode Taluk and District.

4.This Court has heard the Learned Counsel appearing for the Petitioner and the Learned Additional Government Pleader appearing for the Respondents and also looked into the relevant typed set of papers filed before this Court in this Writ Petition.

5.On a careful consideration of respective contentions, this Court is inclined to direct the 2nd Respondent to consider the representation of the Petitioner dated 11.05.2013 in regard to the conduct of the cultural programme to be held on 25.05.2013, as made mention of in his representation and to pass appropriate orders in according permission to the Petitioner to conduct the cultural programme to be held on 25.05.2013 in the event of Sr.Muniyappasamy Temple Festival, Muniyappan Palayam, Gandhi Nagar, Malayampalayam, Pungai Kilampadi Village,Erode Taluk and District, between 7.00 p.m.and 10.00 p.m.subject to the following conditions:- (a)The cultural programme should be conducted by the

Petitioner in an organised and serene manner without causing any law and order problem.

(b)The Petitioner is directed to file an affidavit before the second respondent/Police that there will not be any obscene or vulgar dance during the performance by any one of the prospective participants or others.as the case may be.

(c)The dance programme is restricted between 7.00 p.m.and 10.00 p.m.on 25.05.2013.

6.If the Petitioner violates any one of the aforesaid conditions, the second Respondent/Police or the duly Authorised Officer on his behalf is empowered to take necessary action in accordance with law and in the manner known to law (including the one under the Indecent Representation of Women (Prohibition) Act, 1986 (60 of 1986) and put an end to such performance.

If the programme exceeds the permitted time limit, viz., 10.00 p.m.on 25.05.2013, then the 2nd Respondent/Police is directed to immediately stop the cultural/dance/drama programme.

7.With the above directions, the Writ Petition is disposed of.

No costs.

Bs/vri To 1.

The Superintendent of Police Erode District, Erode.

2.

The Inspector of Police Malayampalayam Police Station Malayampalayam Erode District

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