

**K.Kumar Vs. Superintendent of Police of Vellore District**

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**Court :** Chennai

**Decided On :** May-16-2013

**Judge :** M.Venugopal

**Appellant :** K.Kumar

**Respondent :** Superintendent of Police of Vellore District

**Judgement :**

IN THE HIGH COURT OF JUDICATURE AT MADRAS DATED: 16.05.2013  
CORAM THE HONOURABLE MR.JUSTICE M.VENUGOPAL Writ Petition  
No.14343 of 2013 K.Kumar .Petitioner Vs 1.

The Superintendent of Police, Vellore District, Tamil Nadu.

2.

The Inspector of Police (L& O) Jolarpet Police Station Jolarpet, Tamil Nadu.Respondents Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the second respondent to herein to consider the petitioner's representation dated 10.5.2013, and to grant permission with police protection to conduct the cinema dance-drama/song cultural event from 7.00 p.m.to 11.00 p.m.on 24.05.2013.

For Petitioner : Mr.P.S.Vijayakumar For Respondents : Mr.R.Rajeswaran Special Government Pleader

## ORDER

The Petitioner sent a representation, dated 10.05.2013, to the Respondents/the Superintendent of Police, Vellore District, and the Inspector of Police (L& O) Jolarpet Police Station, Jolarpet, for conducting cultural programmes like village dance, which is scheduled to be held on 24.5.2013.

2. According to the Learned Counsel for the Petitioner, the second Respondent/Police has not passed any orders based on his representation, dated 10.05.2013.

3. In view of the fact that no orders have been passed by the second Respondent/Police based on the representation of the Petitioner dated 10.05.2013, 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 24.05.2013, with police protection.

4. This Court has heard the Learned Counsel appearing for the Petitioner and the Learned Special 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 second respondent to consider the representation of the Petitioner dated 10.05.2013 in regard to the conduct of the cultural programme to be held on 24.05.2013, 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 24.05.2013, 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 otherRs.as the case may be.

(c)The dance programme is restricted between 7.00 p.m.and 10.00 p.m.on 24.05.2013.

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 24.05.2013, then the second 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/versus To 1.

The Superintendent of Police, Vellore District, Tamil Nadu.

2.

The Inspector of Police (L& O) Jolarpet Police Station Jolarpet Tamil Nadu

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