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P.Gowrappan Vs. Inspector of Police at Taluka Police Station

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Court : Chennai

Decided On : May-16-2013

Judge : M.Venugopal

Appellant : P.Gowrappan

Respondent : inspector of Police at Taluka Police Station

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS DATED: 16.05.2013 CORAM THE HONOURABLE MR.JUSTICE M.VENUGOPAL Writ Petition No.14272 of 2013 P.Gowrappan .Petitioner Vs The Inspector of Police, Taluka Police Station, Krishnagiri & District.Respondent Prayer:-Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent authority to give permission to conduct the dance programme at 43-A, Gandhi Nagar Post, Krishnagiri District in festival of Melpudhur Periyamariamman Koil Thiruvila on 21.05.2013.

For Petitioner : Mr.P.Paramasiva Doss For Respondent : Mr.M.S.Ramesh Additional Govt.

Pleader

ORDER

The Petitioner sent a representation, dated 12.05.2013, to the Respondent/ Inspector of Police, Taluka Police Station, Krishnagiri & District for conducting cultural programmes like village dance, which is scheduled to be held on 21.05.2013.

2.According to the Learned Counsel for the Petitioner, the Respondent/Police has not passed any orders based on his representation, dated 12.05.2013.

3.In view of the fact that no orders have been passed by the Respondent/Police based on the representation of the Petitioner dated 12.05.2013, 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 21.05.2013 in the event of Melpudhur Periyamariamman Koil Thiruvila at 43-A, Gandhi Nagar Post, Krishnagiri District.

4.This Court has heard the Learned Counsel appearing for the Petitioner and the Learned Special Government Pleader appearing for the Respondent 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 Respondent to consider the representation of the Petitioner dated 12.05.2013 in regard to the conduct of the cultural programme to be held on 21.05.2013, 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 21.05.2013 in the event of Melpudhur Periyamariamman Koil Thiruvila at 43-A, Gandhi Nagar Post, Krishnagiri 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 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 21.05.2013.

6.If the Petitioner violates any one of the aforesaid conditions, the 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 21.05.2013, then the 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/vj2 To The Inspector of Police, Taluka Police Station Krishnagiri & District I

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