
(2011) 06 MAD CK 0296
In the Madras High Court
Case No : Writ Petition No. 13254 of 2011

M.R. Murugan

APPELLANT

Vs

The Inspector of Police

RESPONDENT

Date of Decision : 08-06-2011

Acts Referred:

Citation : (2011) 06 MAD CK 0296

Hon'ble Judges : M. Jaichandren, J

Bench : Single Bench

Advocate : C. Prabakaran, for the Appellant; V. Jayaprakash Narayanan, Additional Government Pleader, for the Respondent

Judgement

M. Jaichandren, J.—Mr. V. Jayaprakash Narayanan, the learned Additional Government Pleader, takes notice for the Respondent.

2. This writ petition has been filed seeking for a direction to the Respondent to grant permission to conduct cultural program at "Arulmigu Sri Pudhiya Throubathiamman Temple" festival which is scheduled to be held on 10.06.2011, in Muthunaickenpatti Village, Omalur Taluk, Salem District based on the representation, dated 06.06.2011, made by the Petitioner.

3. The learned Counsel appearing for the Petitioner had submitted that the Petitioner had submitted a representation dated 06.06.2011, to the Respondent, requesting him to grant permission to conduct a cultural program during the Arulmigu Sri Pudhiya Throubathiamman Temple festival on 10.06.2011, at Muthunaickenpatti Village, Omalur Taluk, Salem District.

4. In this regard, the learned Counsel appearing for the Petitioner had relied on certain earlier orders passed by this Court in support of his contentions. In the order, dated 22.1.2009, made in W.P. No. 791 of 2009, (V.K. Karthikeyan v. The Superintendent of Police and Anr.) and in the order, dated 12.8.2010, made in W.P. No. 15952 of 2010, (S. Saravanan v. The Superintendent of Police, Namakkal District, Namakkal and Anr.), this Court, in similar circumstances, as in

the present case, had granted permission to the Petitioners therein to conduct the dance programs at the temple festivals concerned, by imposing certain specific conditions.

5. Per contra, the learned Additional Government Pleader appearing for the Respondent had submitted that the Respondent has the power to prevent the Petitioner from organising dance programs, which are obscene, indecent or lewd. Since, the dance programs organised in such temple festivals are generally obscene and indecent.

6. Considering the averments made in the affidavit filed in support of the writ petition and in view of the submissions made by the learned Counsels appearing for the parties concerned and in view of the earlier orders passed by this Court, relied on by the learned Counsel appearing for the Petitioner, this Court directs the Respondent to grant the necessary permission to the Petitioner, to conduct cultural program, during the Arulmigu Sri Pudhiya Throubthiamman Temple festival, at Muthunaickenpatti Village, Omalur Taluk, Salem District, subject to the Petitioner submitting an affidavit of undertaking stating that the cultural program would not be obscene, indecent or lewd and that they would be conducted in an orderly and disciplined manner, as per law and in accordance with the conditions imposed by the Respondent. It is made clear that it would be open to the Respondent and the other authorities concerned to initiate appropriate action against the Petitioner and the others involved in conducting the cultural program, if they violate the conditions imposed by the Respondent and if the cultural program are conducted in a manner contrary to the relevant provisions of law.

7. The writ petition is ordered accordingly. No costs.