

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.05.2019

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P.No.14015 of 2019

N.Loganathan

.. Petitioner

-Vs-

1. The Superintendent of Police,
Namakkal, Namakkal District - 637 001.

2. The Inspector of Police,
Puduchatram Police Station,
Namakkal Taluk,
Namakkal District - 637 019.

.. Respondents

Prayer: Criminal Original petition has been filed under Section 482 of Cr.P.C. to direct the respondent authority to give police protection and permission to conduct Cultural Programme (Adalum Padalum) at Sri Adaikalam Kathavarayan Temple, Muthudaiyarpalayam Village, Sarkar Uduppam Post, Namakkal Taluk, Namakkal District on 08.06.2019 by considering the petitioner's representation dated 11.05.2019.

For petitioner : Mr.S.Mayilnathan

For respondents: Ms.S.Thankira
Government Advocate (Criminal Side)

O R D E R

This Criminal Original Petition has been filed to direct the respondents to give police protection and permission to conduct Cultural Programme (Adalum Padalum) at Sri Adaikalam Kathavarayan Temple, Muthudaiyarpalayam Village, Sarkar Uduppam Post, Namakkal Taluk, Namakkal District, scheduled to be held on 08.06.2019.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondents.

3.The learned counsel for the petitioner would submit that the petitioner is the member of Vizha Committee of Sri Adaikalam

Kathavarayan Temple, Muthudaiyarpalayam Village, Sarkar Uduppam Post, Namakkal Taluk, Namakkal District. The temple festival will be celebrated in a grand manner every year and during the festival, the villagers planned to conduct Cultural Programme on 08.06.2019. In this regard, the petitioner gave a representation to the respondent on 11.05.2019. Since no action has been taken, the present petition has been filed.

4. The learned Government Advocate (Criminal Side) appearing for the respondent, on instructions, would submit that the respondents have no serious objection. She further submitted that permission may be granted subject to stringent conditions.

5. Considering the facts and circumstances of the case, the Criminal Original Petition is disposed of with the following directions:

The second respondent/Inspector of Police, Puduchatram Police Station, Namakkal Taluk, Namakkal District is directed to consider the representation of the petitioner, dated 11.05.2019 and to give permission and to provide police protection for Cultural Dance Programme done by Sri Adaikalam Kathavarayan Temple, Muthudaiyarpalayam Village, Sarkar Uduppam Post, Namakkal Taluk, Namakkal District, scheduled to be held on 08.06.2019, subject to the following conditions;

(a) Cultural Programme (Adal Padal Nigalchi) done by Sri Adaikalam Kathavarayan Temple, Muthudaiyarpalayam Village, Sarkar Uduppam Post, Namakkal Taluk, Namakkal District, scheduled to be held on 08.06.2019, should be completed before 10.00 p.m.

(b) There should not be any kind of obscene dance or vulgar dialogues during the performance, by anyone of the participants.

(c) Double meaning songs should not be played as they will spoil the minds of students and youths.

(d) No dance or songs, touching upon any political party or religion or community or caste shall be played.

(e) No flex boards in support of any political party or communal leader, shall be erected at the premises of the programme.

(f) The function shall not affect either religious or communal harmony and shall be conducted without any discrimination based on caste.

(g) If there is violation of any one of the conditions imposed, the concerned police officer is at liberty to take necessary action, as per law and stop such performance forthwith; and

(h) Similarly, the police is directed to stop the dance programme, if it is conducted beyond the permitted time limit.

(i) The petitioner as well as the organizers shall give a letter of undertaking agreeing to strictly adhere to the above conditions.

6.It is open to the second respondent/Inspector of Police to impose any further restrictions or conditions purely in the interest of preserving public order and tranquility. There can be a total ban for putting up any Flex Board representing any community, political party or organization.

7. In the result, this Criminal Original Petition is disposed of with the above directions.

Sd/-
Assistant Registrar(V.O)

//True Copy//

Sub Assistant Registrar

rsi/ssr

To

1. The Superintendent of Police,
Namakkal, Namakkal District - 637 001.
2. The Inspector of Police,
Puduchatram Police Station,
Namakkal Taluk,
Namakkal District - 637 019.
- 3.The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.S.Mayilnathan, Advocate, Sr.No. 44386

CSL/03.06.2019

CrI.O.P.No.14015 of 2019