

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2020

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Cr1.O.P.No.3191 of 2020

N.Mani

...Petitioner

-Vs-

The State Rep by its
The Sub Inspector of Police,
Nemili Police Station,
Nemili Taluk,
Ranipet District.

... Respondent

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to set aside the order passed by the respondent dated 29.01.2020, consequently to give adequate protection to conduct the village festival and cultural program (Dance, Music and Drama Program) for the Arulmighu Angala Amman Temple Thiruvizha at Uliyanallur Village, Panapakkam, Nemili Taluk, Ranipet District, scheduled to be held on 22.02.2020 and 23.02.2020 from 7.00 p.m to 10.00 pm.

For Petitioner : Mr.V.Arul

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to set aside the order passed by the respondent dated 29.01.2020 and consequently direct the respondent to give permission and also to give police protection for conducting village festival and cultural program (Dance, Music and Drama Program) for the Arulmighu Angala Amman Temple Thiruvizha at Uliyanallur Village, Panapakkam, Nemili Taluk, Ranipet District, scheduled to be held on 22.02.2020 and 23.02.2020 from 7.00 p.m to 10.00 pm.

2. The learned counsel for the petitioner has submitted that every year, they used to celebrate the temple festival of the aforesaid temple during the Tamil month of Maasi and in this year also, they decided to celebrate the festival for the aforesaid temple on 22.02.2020 and 23.02.2020 and during the said festival, they used to conduct cultural programme also and hence the petitioner has submitted the representation to the respondent on 29.01.2020, seeking permission and police

protection. But, the respondent without mentioning any reason, has simply rejected the same and hence he requests to set aside the said order and direct the respondent to give permission and also give police protection for conducting festival and also cultural programme on the aforesaid dates.

3. The learned Additional Public Prosecutor has submitted that he is leaving it to the discretion of the Court.

4. In the impugned order, the respondent has simply stated that for conducting Archestra, permission is denied. But it shows that he has no objection for conducting the temple festival and other cultural programmes. He rejected the petition only for conducting the archestra and for that also he has not stated any reason. Hence, the said order is set aside. Consequently, the respondent is directed to give permission to the petitioner to conduct temple festival and also cultural programmes on the aforesaid dates. In the event of Arulmighu Angala Amman Temple Thiruvizha at Uliyanallur Village, Panapakkam, Nemili Taluk, Ranipet District, scheduled to be held on 22.02.2020 and 23.02.2020 from 7.00 p.m to 10.00 p.m., however, with the following conditions:-

(a) The aforesaid cultural programme shall be conducted on 22.02.2020 and 23.02.2020 from 7.00 p.m to 10.00 pm. Only.

(b) The petitioner shall pay a cost of Rs.10,000/- (Rupees Ten Thousand only) per day to the respondent police towards police protection.

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

(d) Double meaning songs should not be played so as to spoil the minds of students and youths.

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

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

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

(h) 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

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

(j) The second respondent is directed to issue necessary permission, incorporating the above conditions.

5. With the above directions, this Criminal Original Petition disposed of.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

1. The Sub Inspector of Police,
Nemili Police Station,
Nemili Taluk,
Ranipet District.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.V.Arul, Advocate, S.R.No. 12483

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VSN II(CO)
GN(19/02/2020)

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