



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.02.2020

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THE HONOURABLE **MR. JUSTICE A.D. JAGADISH CHANDIRA**

W.P. (MD) No.3518 of 2020

Alagesan

... Petitioner

Vs.

1.The Superintendent of Police,
Pudukkottai District,
Pudukkottai.

2.The Sub Inspector of Police,
Annavasal Police Station,
Pudukkottai District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, by directing the second respondent to give permission with protection to conduct the cultural function Aadal-Paadal at Vayalogam Public Stage in connection with the Kumbabishegam Festival of Arulmigu Sree Ponnazhagiyamman Temple, at Vayalogam, Iluppur Taluk, Pudukkottai District, scheduled on 26.02.2020 at about 07.00 p.m to 12.00 a.m., based on the petitioner's representation dated 10.02.2020.

For Petitioner : Mr.S.Muthalraj

For Respondents : Mrs.S.Bharathi
Government Advocate(Crl.Side)

ORDER

This writ petition has been filed directing the second respondent to give permission with protection to conduct the cultural function Aadal-Paadal at Vayalogam Public Stage in connection with the Kumbabishegam Festival of Arulmigu Sree Ponnazhagiyamman Temple, at Vayalogam, Iluppur Taluk, Pudukkottai District, scheduled on 26.02.2020 at about 07.00 p.m to 12.00 a.m., based on the petitioner's representation dated 10.02.2020.

2.Heard the learned Counsel appearing for the petitioner and the learned Government Advocate(Crl.Side) appearing for the respondents.

3.The learned Government Advocate(Crl.Side) appearing for the respondents submitted that they have no objection to grant



protection, however, the respondent police have reservations with regard to the time, since there is an apprehension that some law and order problem may arise during the programme, if permitted beyond 11.00 p.m. She would also submit that the Director General of Police, in his proceedings in Rc.No.007301/Genl.I(1)/2019 dated 09.04.2019 has issued circular to Commissioner of Police, Superintendent of Police and all the Station Housing Officer and directed them to follow the procedure and instruct the petitioner seeking permission to conduct cultural programs to comply with the conditions and permission may be granted subject to the petitioner agreeing to comply with the said conditions by filing necessary undertaking before the respondent police.

4. The respondent police are directed to grant permission for conducting the cultural programme (ie.,) Adal Padal programme on 26.02.2020 at about 07.00 p.m to 11.00 p.m, by enclosing the following conditions:

(a) *The programme in connection with festival or any cultural programme, SHO should specify the time and the same shall not be later than 11.00 p.m.*

(b) *double meaning songs should not be played so as to spoil the minds of students and the youth;*

(c) *no songs, touching upon any political party or religion, community or caste be played;*

(d) *Organizers shall not erect any digital banners/pla cards on either side of the arterial roads, platforms, walkways/major roads and any other roads*

(e) *the function should not affect caste, religious or communal harmony and shall be conducted without any discrimination*

(f) *if there is any 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;*

(g) *similarly, the Police is empowered to stop the programme, if it exceeds beyond the permitted time;*

(h) *the participants of the programme shall not intake any kind of in-toxic substance or liquor during the programme;*

(i) *if any untoward incident takes place, the organizers of the programme be made responsible for the*



same

(j) the authority concerned shall videograph the entire programme at the cost of the applicant and submit the CD to the S.P concerned.

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(k) Organizers shall have to obtain all other required permission from the authorities concerned

(l) Any other conditions as the authority concerned consider to impose according to the ground reality".

5. The petitioner is also directed to ensure that the conditions are strictly complied with and also to ensure that no law and order problem is created in the course of conducting the programme.

6. The writ petition stands disposed of with the above directions. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1. The Superintendent of Police,
Pudukkottai District,
Pudukkottai.

2. The Sub Inspector of Police,
Annavasal Police Station,
Pudukkottai District.

+1 CC to M/s.NA.PALANIYANDI, Advocate (SR-7665[F] dated
21/02/2020)

W.P. (MD) No.3518 of 2020
21.02.2020

ss (CO)

TR (25.02.2020) 3P 4C