



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2022

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

W.P.Nos.4670 & 4675 of 2022

1.R.Balamanikandan ...Petitioner in W.P.No.4670/2022
2.R.Sengottaiyan ...Petitioner in W.P.No.4675/2022

Vs.

1. The Inspector of Police,
Karumandurai Police Station,
Karumandurai,
Salem District. ...Respondent in W.P.No.4670/2022
2. The Inspector of Police,
Veppadai Police Station,
Veppadai,
Namakkal District. ...Respondent in W.P.No.4675/2022

PRAYER: Writ Petitions filed under Section 226 of Constitution of India, to issue a Writ of Mandamus to direct the respondents authority to give permission and police protection to conduct Cultural Programmes (Adal Padal Nigalchi) in the event of Karumandurai Village, Chinna Kalvarayanmalai Vadakkundadu Arulmigu Sree Kaliyamman Temple 34th year Kodi Festival at Attur Taluk, Salem District on 09.03.2022 between 6.00 pm to 10.00 pm and in the event of Patharai Village Arulmigu Sree Mariamman Temple Festival at Kumarapalayam Taluk, Namakkal District on 09.03.2022 between 6.00 pm to 11.00p.m by considering petitioners representations dated 23.02.2022 and 25.02.2022.

For Petitioner in both petitions : Mr.C.Nandhakumar
For Respondent in both petitions : Mr.A.Gokulakrishnan
Additional Public
Prosecutor

C O M M O N O R D E R

These Writ Petitions have been filed to direct the respondents authority to give permission and police protection to conduct Cultural Programmes (Adal Padal) in the event of Karumandurai Village, Chinna Kalvarayanmalai Vadakkundadu Arulmigu Sree Kaliyamman Temple 34th year Kodi Festival at Attur Taluk, Salem District on 09.03.2022 between 6.00 pm to 10.00 pm



and in the event of Patharai Village Arulmigu Sree Mariamman Temple Festival at Kumarapalayam Taluk, Namakkal District on 09.03.2022 between 6.00 pm to 11.00p.m by considering petitioners representations dated 23.02.2022 and 25.02.2022.

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2. Heard the learned Counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3. The learned Additional Public Prosecutor appearing for the respondent would submit that the police do not have any reservations on the place, where the function is to be conducted. However, there is an apprehension that some law and order problem may arise during the programme. He 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 the Commissioner of Police, Superintendent of Police and all the Station House Officer, directing them to follow the procedure 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 is directed to grant permission for conducting the cultural programmes (ie.,) Adal Padal Dance Programmes as sought by the petitioner, with the following conditions:

- (a) The Aadal Paadal programme in connection with festival or any cultural programme, SHO should specify the time and the same shall not be later than 10.00 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;



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(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.

(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. Further the petitioner in both petition is directed to pay a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each to the respondent police towards bundobust charges.

6. The Writ Petitions stand disposed of with the above directions. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

shk/sai

To

1. The Inspector of Police,
Karumandurai Police Station,
Karumandurai,
Salem District.

2. The Inspector of Police,
Veppadai Police Station,
Veppadai,
Namakkal District.

3. The Public Prosecutor,
High Court of Madras.

+2 cc to Mr.C.Nandhakumar, Advocate, S.R.No.13899, 13900

W.P.Nos.4670 & 4675 of 2022

KK(CO)
KKV/07/03/2022