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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2022

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

W.P.Nos.9622 & 9623 of 2022

1.R.Dhanakotti	...Petitioner in W.P.No.9622/2022
2.C.Maiyappan	...Petitioner in W.P.No.9623/2022

Vs.

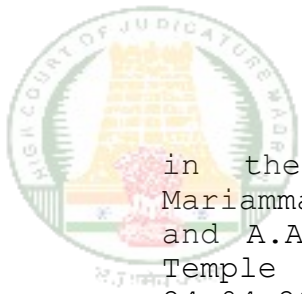
1.The Inspector of Police, Thivattipatti Police Station, Thivattipatti, Salem District.	...Respondent in W.P.No.9622/2022
2.The Inspector of Police, Suramangalam Police Station, Suramangalam, Salem District.	...Respondent in W.P.No.9623/2022

PRAYER: Writ Petitions are filed under Article 226 of Constitution of India, pleased to issue a Writ of Mandamus or any other in the nature of Writ directing the respondents authority to give permission and police protection to conduct Cultural Programmes (Adal Padal Nigalchi) in the events of Konreddiyur Village Arulmigu Sree Pudu Mariamman Temple Festival at Kadayampatti Taluk, Salem District and A.Ayyamperumalpatti, Palaiyur Arulmigu Sree Throwpathiamman Temple Festival at Salem Taluk & District on 20.04.2022 and 24.04.2022 between 6.00 pm to 11.00 pm by considering the petitioners representations dated 08.04.2022 and 09.04.2022.

For Petitioner
in both W.P.No's: Ms.P.Madhumathi
For Respondent
in both W.P.No's: Mr.A.Gokulakrishnan
Additional Public Prosecutor.

C O M M O N O R D E R

These Writ Petitions have been filed seeking direction to the respondents authority to give permission and police protection to conduct Cultural Programmes (Adal Padal Nigalchi)



in the events of Konreddiyur Village Arulmigu Sree Pudu Mariamman Temple Festival at Kadayampatti Taluk, Salem District and A.Ayyamperumalpatti, Palaiyur Arulmigu Sree Throwpathiamman Temple Festival at Salem Taluk & District on 20.04.2022 and 24.04.2022 between 6.00 pm to 11.00 pm by considering the petitioners representations dated 08.04.2022 and 09.04.2022.

2. Heard the learned Counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondents.

3. The learned Additional Public Prosecutor appearing for the respondents submits 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 cultural 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 Housing Officer, directing them to follow the procedure and instruct the petitioner seeking permission to conduct cultural programmes 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 respondents police are directed to grant permission for conducting the cultural programme (ie.,) Adal Padal Dance Programme 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;



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(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 intoxicating 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;

(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 petitioners are 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 petitioners are directed to pay a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each to the respondents police towards bundobust charges.

6. Accordingly, these Writ Petitions stand disposed of with the above directions.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

shk/sai

To

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

2.The Inspector of Police,
Suramangalam Police Station,
Suramangalam,
Salem District



3. The Public Prosecutor,
High Court of Madras.

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SRII (CO)
SP(19/04/2022)