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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2022

CORAM

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

W.P.NO.10053 OF 2022

C.Suresh,
S/o.Chinnathambi

... Petitioner

Vs

The Inspector of Police,
Puthuchathiram Police Station,
Namakkal District.

... Respondent

Prayer:

Writ Petition filed under Article 226 of the Constitution of India, prayed for the issuance of Writ of Mandamus, directing the respondent to grant permission and police protection to conduct the cultural event viz., Adal Padal (song and dance) program to be held on 15.05.2022 at 6.00 p.m., onwards in connection with the Temple Festival of Arulmigu Sri Mariamman Thirukovil, Thirumalaipatti Village, Namakkal Taluk, Namakkal District by considering the petitioner's representation dated 11.04.2022.

For Petitioner : Mr.S.Sathish

For Respondent : Mr.A.Gokulakrishnan,
Additional Public Prosecutor

ORDER

This writ petition has been filed, to direct the respondent to grant permission and police protection to conduct the cultural event viz., Adal Padal (song and dance) program to be held on 15.05.2022 at 6.00 p.m., onwards in connection with the Temple Festival of Arulmigu Sri Mariamman Thirukovil, Thirumalaipatti Village, Namakkal Taluk, Namakkal District by considering the petitioner's representation dated 11.04.2022.

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 submits that the police does 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 tournament. 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, the Superintendent of Police and all the Station Housing Officers 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 is directed to grant permission for conducting the Cultural Programme (Adal Padal Nigalchi) on 15.05.2022 at 6.00 pm to 10.00 pm, by enclosing 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;

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



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(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 is directed to pay a sum of Rs.15,000/- to the respondent police for providing bundobust.

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//

Sub Assistant Registrar

gsk

To

1. The Inspector of Police,
Puthuchathiram Police Station,
Namakkal District.
2. The Public Prosecutor,
High Court of Madras.

W.P.No.10053 of 2022

AKII(CO)
PM/06/05/2022