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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.05.2022

CORAM :

THE HONOURABLE MR. JUSTICE A.A.NAKKIRAN

W.P.NOS.11614 AND 11616 OF 2022

M.Karthick ... Petitioner in W.P.No.11614 of 2022

P.Manojkumar ... Petitioner in W.P.No.11616 of 2022

Vs.

The Inspector of Police,
Harur Police Station,
Harur,
Dharmapuri District.

... Respondent in W.P.No.11614 of 2022

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

... Respondent in W.P.No.11616 of 2022

PRAYER in W.P.No.11614 of 2022:

Writ Petition is filed under Article 226 of Constitution of India, pleased to issue a Writ of Mandamus or any other appropriate writ, order or direction in the nature of writ, directing the respondent authority to give permission and Police protection to conduct Cultural programme (Adal Padal Nigalchi) in the event of Ettipatti Village, Alagiri Nagar Arulmigu Sree Mariamman Temple Festival at Harur Taluk, Dharmapuri District on 25.05.2022 between 06.00 p.m to 11.00 p.m by considering the Petitioner's representation dated 23.04.2022.

PRAYER in W.P.No.11616 of 2022:

Writ Petition is filed under Article 226 of Constitution of India, pleased to issue a Writ of Mandamus or any other appropriate writ, order or direction in the nature of writ,



directing the respondent authority to give permission and Police protection to conduct Cultural programme (Adal Padal Nigalchi) in the event of Morangam Village Arulmigu Sree Mariamman Temple Festival at Tiruchengode Taluk, Namakkal District on 31.05.2022 between 06.00 p.m to 11.00 p.m by considering the Petitioner's representation dated 21.04.2022.

For Both W.P's

For Petitioners : Mr.A.Sathishkumar
For Respondents : Mr.S.Balaji
Government Advocate (Crl. Side)

C O M M O N O R D E R

These Writ Petitions have been filed to direct the respondent authority to give permission and Police protection to conduct Cultural programme (Adal Padal Nigalchi) in the event of Ettipatti Village, Alagiri Nagar Arulmigu Sree Mariamman Temple Festival at Harur Taluk, Dharmapuri District on 25.05.2022 between 06.00 p.m to 11.00 p.m by considering the Petitioner's representation dated 23.04.2022 and to direct the respondent authority to give permission and Police protection to conduct Cultural programme (Adal Padal Nigalchi) in the event of Morangam Village Arulmigu Sree Mariamman Temple Festival at Tiruchengode Taluk, Namakkal District on 31.05.2022 between 06.00 p.m to 11.00 p.m by considering the Petitioner's representation dated 21.04.2022.

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

3. The Learned Government Advocate (Crl.side) 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 petitioners seeking permission to conduct cultural programmes to comply with the conditions and permission may be granted subject to the petitioners agreeing to comply with the said conditions by filing necessary undertaking before the respondents police.



4. The respondents police is directed to grant permission for conducting the cultural programme (ie.,) Adal Padal Dance Programme as sought by the petitioner, with the following conditions:

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(a) The Aadal Paadal programme in connection with festival or any cultural programme, shall be conducted on 25.05.2022 and 31.05.2022 between 7.00 p.m., and 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 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 each of the petitioners is directed to pay a sum of Rs.10,000/- (Rupees Ten Thousand only) to the respondents police towards bundobust charges.



6. These Writ Petitions stands disposed of with the above directions.

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Sd/-
Vacation Officer

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
Harur Police Station,
Harur,
Dharmapuri District.
2. The Inspector of Police,
Elachipalayam Police Station,
Elachipalayam,
Namakkal District.
3. The Public Prosecutor,
High Court of Madras.

W.P.Nos.11614 and 11616 of 2022

EV(CO)
PM/16/05/2022