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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.05.2022

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.NOS.12479 AND 12695 OF 2022

Shri Bhatra kaaliamman trust
Represented its president Mr.C.Kanjiranjan
Plot No.5, 5th Street,
East Banu Nagar,
Ambattur,
Chennai - 600 053.

... Petitioner in W.P.No. 12479 of 2022

Mariappan

... Petitioner in W.P.No.12695 of 2022

Vs.

1. The Tamil Nadu Police,
Represented by its Inspector of Police,
Law and Order,
T1 Ambattur Police Station,
Ambattur,
Chennai - 53
2. The Tamil Nadu Police,
Represented by
its Assistant Commissioner of Police,
MTH Road,
Ambattur,
Chennai - 600 053.
3. The Tamil Nadu Police,
Represented by
its Commissioner of Police,
Avadi Market Bust stand,
Near Gandhi Statue,
Chennai - 600 054.



4. Tamil Nadu Chief Minister Cell
Secretariat,
Fort St. George,
Chennai - 600 009.
Tamil Nadu
Chennai - 600 053.

... Respondents in W.P.No.12479 of 2022

1. The Commissioner of Police,
Office of the Commissioner of Police,
Avadi,
Thiruvalluvar District.
2. The Inspector of Police,
Ambattur Police Station,
Ambattur,
Thiruvalluvar District.

... Respondents in W.P.No.12695 of 2022

PRAYER in W.P.No.12479 of 2022 :

Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus or any other appropriate Writ or direction, and directing the 1st respondent for disposing of petitioner representation dated 01.05.2022, directing the 1st respondent to provide police protection 20th "Vaikasi Kodai festival" from 17.05.2022 to 26.05.2022 (10 Days) of Shri Kottaravai Bhatra Kaaliyamman Thiru Koil, Puthur, Door No. 23, 3rd Main Road, Banu Nagar, Ambattur, Chennai - 600 053.

PRAYER in W.P.No.12695 of 2022 :

Writ Petition is filed under Article 226 of the Constitution of India, praying to pass an order or direction or writ, more particularly in the nature of Writ of Mandamus to direct the respondent to grant permission to conduct a cultural festival in view of celebrating Arulmigu Kotravai Sri Pathirakaliyamman Kovil Temple 20th Vaikasi Pongal Festival at 7.a.m on 17.05.2022 and from 6.00 P.M to 11.00. P.M, onwards 23.05.2022 to 26.05.2022 at the venue of 3rd Main Road, Banu Nagar, Ambattur, Chennai - 600 053.

For Petitioner in W.P.No.
12479 of 2022 : M/s.M.Sankari

For Petitioner in W.P.No.
12695 of 2022 : Mr.M.P. Venkatakrishnan



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For Respondents in
both W.P's : Mr.E.Raj Thilak
Additional Public Prosecutor

C O M M O N O R D E R

These Writ Petitions have been filed for a direction to the respondent police to provide police protection during the "Vaikasi Kodai Festival" to be conducted from 17.05.2022 to 26.05.2022.

2. Earlier, there was some dispute as to who will conduct the festival and hence, two separate Writ Petitions were filed. The learned counsel appearing for the petitioners in both the Writ Petitions submitted that the parties have now come to a compromise and they both will conduct the festival together by giving responsibility to a Committee to be constituted.

3. The learned Additional Public Prosecutor, appearing for the respondents, submitted that the respondent Police was not able to consider the representation made by the petitioners since there was a dispute between rival groups. Since the rival groups have now compromised the dispute, they can be directed to appear before the Inspector of Police (Law and Order), T1 Ambattur Police Station, and the respondent police on being satisfied that there is a compromise between the parties, will consider providing police protection subject to the conditions imposed by this Court.

4. Taking into consideration the subsequent development that has taken place in this case, there shall be a direction to the petitioners to appear before the Inspector of Police, T1 Ambattur Police Station, Ambattur, tomorrow at 10.00 a.m. The respondent police, on being satisfied that the parties will conduct the festival together peacefully without any dispute, shall grant permission and provide protection subject to the following conditions :

(a) Each petitioner shall pay a cost of Rs.10,000/- (Rupees Ten Thousand only) on each day to the respondent police towards police protection, during the entire period of 10 days.

(b) There should not be any kind of obscene dance or vulgar dialogues during the performance, by anyone of the participants.

(c) Double meaning songs should not be played so as to spoil the minds of students and youths.

(d) No dance or songs, touching upon any political party



or religion or community or caste shall be played.

(e) No flex boards in support of any political party or communal leader, shall be erected at the premises of the programme.

(f) The function shall not affect either religious or communal harmony and shall be conducted without any discrimination based on caste.

(g) If there is 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 forthwith; and

(h) Similarly, the police is directed to stop the dance programme, if it is played beyond the permitted time limit.

(i) The respondents are directed to issue necessary permission, incorporating the above conditions.

5. With the above directions, these Writ Petitions stand disposed of. No costs.

Sd/-
Vacation Officer

//True Copy//

Sub Assistant Registrar

mknd/dk

Copy to :

1. The Inspector of Police,
Law and Order,
T1 Ambattur Police Station,
Ambattur,
Chennai - 53
2. The Assistant Commissioner of Police,
Tamil Nadu Police,
MTH Road,
Ambattur,
Chennai - 600 053.
3. The Commissioner of Police,
Tamil Nadu Police,
Avadi Market Bust stand,
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4. Tamil Nadu Chief Minister Cell
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5. The Commissioner of Police,
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6. The Inspector of Police,
Ambattur Police Station,
Ambattur,
Thiruvallur District.
7. The Public Prosecutor
High Court of Madras,
Chennai - 600 104.

+1cc to Mr.D.Arun, Advocate, S.R.No.31627

+1cc to M/s.M.Sankari, Advocate, S.R.No.31666(24/05/2022)

W.P.Nos.12479 and 12695 of 2022

PA(CO)
PM/20/05/2022