



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.05.2022

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THE HONOURABLE Mr.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.13415 of 2022

P.Murugan

... Petitioner

Vs.

1. The Superintendent of Police,
Dharmapuri,
Dharmapuri District.

2. The Inspector of Police,
Kadathur Police Station,
Pappireddipatti Taluk
Dharmapuri District.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the 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 to conduct a Cultural program schedule to be held on 08.06.2022 between 6.00pm to 11.00pm in "Sri Mariamman & Sri Kaliyamman Temple Festival", Thalanatham Village, Thalanatham Post, Pappireddipatti Taluk, Dharmapuri District by considering the petitioner representation dated 17.05.2022.

For Petitioner : Mr.S.Mayilnathan

For Respondents : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

O R D E R

The Writ Petition has been filed seeking to direct the respondents to permit the petitioner to conduct a Cultural program schedule to be held on 08.06.2022 between 6.00pm to 11.00pm in "Sri Mariamman & Sri Kaliyamman Temple Festival", Thalanatham Village, Thalanatham Post, Pappireddipatti Taluk, Dharmapuri District by considering the petitioner representation dated 17.05.2022.



2. Today when the matter is came up for hearing, the learned Government Advocate (Crl. side) appearing for the respondents police produced an order dated 24.05.2022, stating that the respondents have already rejected the request of the petitioner on the apprehension that there may be a law and order problem in the event of grant of permission.

3. Upon considering the representation made by the petitioner and the order, I am of the view on the mere apprehension, the permission cannot be refused and similar permission had been granted in the identical matters. In view of the above, I am inclined to allow this petition and the respondents police is directed to grant permission for conducting the cultural programme (ie.,) Adal Padal Dance Programme as sought by the petitioner, on the following terms and 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 intoxicating 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.

(m) since the respondent has apprehended law and order problem, even though permission is granted, once there is any sign of law and order problem or if any law and order situation commences, immediately the respondent will be at liberty to stop the programme forthwith and disperse the public and avoid any untoward incident.

4. 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.10,000/- (Rupees Ten Thousand only) to the respondent police towards bundobust charges.

5. Accordingly, this Writ Petition stands disposed of with the above directions. There shall be no order as to costs.

Sd/-

Assistant Registrar/
Vacation Officer

//True Copy//

Sub Assistant Registrar

vm/klt

To

1. The Superintendent of Police,
Dharmapuri,
Dharmapuri District.



2. The Inspector of Police,
Kadathur Police Station,
Pappireddipatti Taluk
Dharmapuri District.

3. The Public Prosecutor,
High Court of Madras.

W.P.No.13415 of 2022

JPL(CO)
GN(31/05/2022)