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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P. No.15312 of 2022

M.Senthil Kumar

... Petitioner

Vs.

1. The Commissioner of Police,
Salem City.
2. The Inspector of Police,
Suramangalam Police Station,
Salem - 636 005.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Mandamus or any other appropriate writ, order or direction in the nature of writ, directing the respondents herein to pass orders on the representation of the petitioner dated 13.06.2022 thereby the respondents to grant permission for conducting cultural programme on 22.06.2022 night between 08.00 p.m., to 11.00 p.m., at "Sri Sakthi Mariamman Temple Tidal, Kakkan Colony, Mallamooppampatty Village, Jagir Ammapalayam (Post), Salem - 636 302.

For Petitioner : Mr.T.Dhasarathan

For R1 & R2 : Mr.A.Gokulakrishnan
Additional Public Prosecutor

O R D E R

The Writ Petition has been filed to direct the respondents herein to pass orders on the representation of the petitioner dated 13.06.2022 thereby the respondents to grant permission for conducting cultural programme on 22.06.2022 night between 08.00 p.m., to 11.00 p.m., at "Sri Sakthi Mariamman Temple Tidal, Kakkan Colony, Mallamooppampatty Village, Jagir Ammapalayam (Post), Salem - 636 302.



3. The learned Additional Public Prosecutor appearing for the respondents submitted 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.

(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;

(c) no songs, touching upon any political party or religion, community or caste be played;

(e) the function should not affect caste, religious or communal harmony and shall be conducted without any discrimination;

(g) similarly, the Police is empowered to stop the programme, if it exceeds beyond the permitted time;

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



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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 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. If there is any rival claim, the police is also directed to hear the other side before granting permission to the petitioner. Further, the petitioner is directed to pay a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the respondent police towards bundobust charges.

6. The Writ Petition stands disposed of with the above directions.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

rgi/ham

To

1. The Commissioner of Police,
Salem City.
2. The Inspector of Police,
Suramangalam Police Station,
Salem - 636 005.
3. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.T.Dhasarathan , Advocate, S.R.No.37033

W.P. No.15312 of 2022

SPL(CO)
CT/21/06/2022