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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P. No.16044 of 2022

V.Gajendran

... Petitioner

Vs.

1. The Superintendent of Police,
Villupuram District,
Villupuram.
2. The Deputy Superintendent of Police,
Kottakuppam Police Station,
Marakkanam Division,
Villupuram District.
3. The Inspector of Police,
F-5, Marakkanam Police Station,
Marakkanam Taluk,
Villupuram District 604 303.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Mandamus, directing the respondents to grant permission and necessary protection to conduct the Adal Padal on 24.07.2022 to 27.07.2022 at 7.00 pm to 11.00 pm of Sri Ellaiyamman Kovil at Anumandhai Kuppam, Anumandhai Post, Marakkanam Taluk, Villupuram District based on my representation dated 16.06.2022.

For Petitioner : Mr.M.Manikandhan

For Respondent : Mr.N.Muthuvel
Government Advocate (Crl.Side)

O R D E R

The Writ Petition has been filed to direct the respondents to grant permission and necessary protection to conduct the Adal Padal on 24.07.2022 to 27.07.2022 at 7.00 pm to 11.00 pm of Sri Ellaiyamman Kovil at Anumandhai Kuppam, Anumandhai Post, Marakkanam Taluk, Villupuram District based on my representation dated 16.06.2022.



3. The learned Government Advocate (Crl.Side) 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 Officers, 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 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. 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. The uploaded copy can be utilised for the purpose of execution of the order.

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

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To

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

2. The Deputy Superintendent of Police,
Kottakuppam Police Station,
Marakkanam Division,
Villupuram District.

3. The Inspector of Police,
F-5, Marakkanam Police Station,
Marakkanam Taluk,
Villupuram District 604 303.

4. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.A.Sakthivel, Advocate SR.No.40031

W.P. No.16044 of 2022

SSI(CO)

GMV(05/07/2022)