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W.P. No.21791 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.08.2022

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P. No.21791 of 2022

C.Murugesan

... Petitioner

Vs.

1. The Superintendent of Police
Salem, Salem District – 636007

2. The Inspector of Police
Vazhappadi Police Station, Vazhapadi Taluk
Salem District – 636115

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Mandamus, directing the first and second respondents to grant permission to conduct the cultural programme of Adal Padal on 24.08.2022 at 06.00 p.m. to 11.00 p.m. at “Sri Karumariamman Temple Festival” Ponnarampatti Village, Ponnarampatti Post, Vazhappadi Taluk, Salem District by consider and pass orders on the representation dated 12.08.2022 made by the petitioner within the time frame as may be fixed by this Court.

For Petitioner : Mr.R.Suryakumaran

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



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ORDER

The Writ Petition has been filed seeking to direct the first and second respondents to grant permission to conduct the cultural programme of Adal Padal on 24.08.2022 at 06.00 p.m. to 11.00 p.m. at “Sri Karumariamman Temple Festival” Ponnarampatti Village, Ponnarampatti Post, Vazhappadi Taluk, Salem District by consider and pass orders on the representation dated 12.08.2022 made by the petitioner.

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

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



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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.

4. The respondent 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:

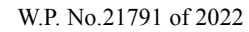
(a) The Aadal Paadal programme in connection with festival or any cultural programme, SHO should specify the time and the same shall not be later than 10.00 p.m;

(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/placards 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;



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



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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.

23.08.2022

Index :Yes/No

Internet:Yes/No

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To

1. The Superintendent of Police
Salem, Salem District – 636007
2. The Inspector of Police
Vazhappadi Police Station, Vazhapadi Taluk
Salem District – 636115
3. The Public Prosecutor,
High Court of Madras.



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N. SATHISH KUMAR, J.

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