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W.P. No.21971 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.21971 of 2022

D.Kapildev

... Petitioner

Vs.

The Inspector of Police
Senthamangalam Police Station
Senthamangalam
Namakkal District

... Respondent

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleased to issue a Writ of Mandamus, directing the respondent to give permission and police protection to conduct cultural programme (Adal Padal Nigalchi) in the event of Perumapalayam Colony Arulmigu Sree Maha Mariyamman Temple Festival at Senthamangalam Taluk, Namakkal District on 29.08.2022 between 06.00 p.m. to 11.00 p.m. by considering the petitioner's representation dated 11.08.2022.

For Petitioner : Mr.N.Sriramaselvam

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



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ORDER

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The Writ Petition has been filed seeking to direct the respondent to give permission and police protection to conduct cultural programme (Adal Padal Nigalchi) in the event of Perumapalayam Colony Arulmigu Sree Maha Mariyamman Temple Festival at Senthamangalam Taluk, Namakkal District on 29.08.2022 between 06.00 p.m. to 11.00 p.m. by considering the petitioner's representation dated 11.08.2022.

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

3. The learned Government Advocate (Crl.Side) appearing for the respondent 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:

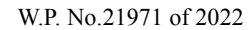
(a) The Aadal Paadal programme in connection with festival or any cultural programme, SHO should specify the time and the same shall not be later than 10.00 p.m;

(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;



(l)Any other conditions as the authority concerned consider to impose according to the ground reality”.

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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 Inspector of Police
Senthamangalam Police Station
Senthamangalam
Namakkal District

2. The Public Prosecutor,
High Court of Madras.



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N. SATHISH KUMAR, J.

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