



W.P.No.13846 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE **G.CHANDRASEKHARAN**

W.P.No.13846 of 2023
and W.M.P.No.13508 of 2023

Sivakumar

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Kannamangalam Police Station,
Thiruvannamalai District.

...Respondent

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus, calling for the records of the Respondent relating to the impugned order Na.Ka.No.06/Kaa.AA/Ka.Va/2023 dated 24.04.2023 and quash the same and consequently direct the Respondent to give permission and police protection to conduct Cultural Program (Adal Padal Nigalchi) in the event of Athuvambadi Village, Shree Kali Amman, Shree Mari Amman Temple Festival at Polur Taluk, Thiruvannamalai District on 05.05.2023 between 06.00 pm. to 10.00 pm.

For Petitioner : Mr.S.Thamizharasan

For Respondent : Mr.S.Santhosh
Government Advocate (Crl.Side)



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ORDER

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This Writ Petition has been filed for the issuance of Writ of Certiorarified Mandamus, calling for the records of the Respondent relating to the impugned order Na.Ka.No.06/Kaa.AA/Ka.Va/2023 dated 24.04.2023 and quash the same and consequently direct the Respondent to give permission and police protection to conduct Cultural Program (Adal Padal Nigalchi) in the event of Athuvambadi Village, Shree Kali Amman, Shree Mari Amman Temple Festival at Polur Taluk, Thiruvannamalai District on 05.05.2023 between 06.00 pm. to 10.00 pm.

2. The learned counsel appearing for the petitioner submitted that there is a temple festival on 05.05.2023 at Athuvambadi Village, Shree Kali Amman, Shree Mari Amman Temple Festival at Polur Taluk, Thiruvannamalai District. Every year this Temple Festival is conducted and during the Temple Festival, Adal Padal Event is also conducted. Like wise, this year also Adal Padal Event is scheduled on 05.05.2023. Therefore, the petitioner submitted a representation before the respondent seeking permission for conducting Adal Padal Event. However, the same was rejected citing the reason that it may occur law and order problem. Therefore, challenging the order passed by the respondent in



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Na.Ka.No.06/Kaa.AA/Ka.Va/2023 dated 24.04.2023, the present petition is

filed.

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3. The learned Government Advocate (Crl. Side) submitted that there is a possibility of law and order issue between the village people. Therefore, the permission was denied. 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.

4. Considered the rival submissions and perused the records.

5. It is brought to the notice of this Court that the Director General of Police, Tamil Nadu, Chennai, had issued a Circular Memorandum in Rc.007301/Genl.I(1)/2019, dated 09.04.2019, along with instructions to the



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Inspectors of Police throughout Tamil Nadu for consideration of applications seeking permission for conducting cultural programme. Therefore, in view of the detailed circular and guidelines issued by the Director General of Police, the respondent police is hereby directed to consider the representation of the petitioner, dated 24.04.2023 and pass suitable orders based on the above said circular.

6. Considering the facts and circumstances of this case, the impugned order passed by the respondent in Na.Ka.No.06/Kaa.AA/Ka.Va/2023 dated 24.04.2023 is hereby set aside and the respondent is directed to consider the representation dated 24.04.2023 positively and provide police protection as per the circular. Accordingly, this Writ Petition stands disposed of with the above direction. Consequently, connected Miscellaneous petition is closed.

28.04.2023

Index : Yes/No
Internet: Yes/No
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G.CHANDRASEKHARAN, J.

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To

1. The Inspector of Police,
Kannamangalam Police Station,
Thiruvannamalai District.
2. The Public Prosecutor,
High Court of Madras.

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28.04.2023