



W.P.No.16270 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **25.5.2023**

CORAM:

THE HONOURABLE **MR.JUSTICE SATHI KUMAR SUKUMARA KURUP**

W.P.No.16270 of 2023

C.Sundararajan

... Petitioner

/vs./

The Inspector of Police
Elachipalayam Police Station
Elachipalayam, Namakkal District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondent to grant permission and police protection to conduct cultural programme (Adal Padal Nigalchi) in the event of Kattipalayam Village Arulmigu Sree Muniyappan Temple Festival at Tiruchengode Taluk, Namakkal District on 31.5.2023 between 06.00 PM and 11.00 PM by considering the petitioner's representation dated 20.5.2023.



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For Petitioner : Mr.Sriramaselvam
For Respondent : Mr.V.J.Priyadarsana
Government Advocate (Crl.Side)

ORDER

The Petitioner has filed the above Writ Petition to issue a Writ of Mandamus directing the respondent to grant permission and police protection to conduct cultural programme (Adal Padal Nigalchi) in the event of Kattipalayam Village Arulmigu Sree Muniyappan Temple Festival at Tiruchengode Taluk, Namakkal District on 31.5.2023 between 06.00 PM and 11.00 PM by considering the petitioner's representation dated 20.5.2023.

2.The learned Government Advocate (Crl.Side) takes notice for the respondent. By consent, the Writ Petition itself is taken up for final disposal.

3.Heard the learned Counsel for the Petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent.

4.The learned Counsel appearing for the Petitioner would submit that as the



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aforesaid festival is celebrated in a peaceful manner by the villagers, there will be no untoward incident on account of this celebration. He would also submit that the Petitioner is the Member of the festival committee.

5.The learned Government Advocate(Crl.Side) appearing for the respondent, on instructions, would submit that the permission sought for by the Petitioner may be granted with appropriate and stringent conditions for maintaining law and order and also to avoid any untoward incident during performance of such programme. He would also submit that no previous case is pending against the Petitioner.

6.In view of the submission made by the learned Government Advocate (Crl.Side), the Writ Petition is disposed of, with a direction to the Respondent to accord permission and police protection to conduct the cultural programme in connection with the above said festival of the said Temple on above said date, between 6.00 p.m., and 11.00 p.m., by incorporating the following conditions:



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a) Obscene dance/songs/vulgar dialogues should be avoided during the programme and the performers must be decently clothed;

b) Songs conveying obscene double meaning should not be played in order to avoid awkwardness;

c) No dance or song, touching upon the conduct of any political party or community or caste be played;

d) No flex boards in support of any political party or religious leader be erected;

e) The programme shall be conducted without showing any discrimination based on caste/community etc., and it shall be ensured that it is towards promoting communal harmony;

f) The Participants of the programme shall not intake any kind of intoxicating substance or liquor during the programme;

g) In respect of untoward incident occurring, the organizers of the programme be responsible for the same;

h) The Organizers shall have the names and other particulars of performers;

i) If there is any violation of any of the conditions imposed, the Station



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House Officer of the Police Station concerned is at liberty to take necessary action, as per law and stop such performance; and

j) The said cultural programme should be conducted by following the directions given in the circular issued by the Director General of Police, Tamil Nadu.

h) The web copy can be utilized for the purpose of execution of the Order.

No costs.

25.5.2023

Index : Yes / No

Internet : Yes / No

TO:

1.The Inspector of Police
Elachipalayam Police Station
Elachipalayam, Namakkal District.

2. The Public Prosecutor,
High Court, Madras.

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SATHI KUMAR SUKUMARA KURUP, J.

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