



W.P.No.16394 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **25.5.2023**

CORAM:

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

W.P.No.16394 of 2023

R.Sakkarapani

... Petitioner

/vs./

The Inspector of Police
Ethapur Police Station
Salem District-636117.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondent authority to give permission to conduct cultural programme (Adal Padal) at Salem District Pethanaickenpalayam Taluk, Chinnasamudram Colony Village, Arulmighu Sri Mariyamman Thirukovil Festival on 04.6.2023 by considering the petitioner's representation dated 10.5.2023.

For Petitioner : Mr.M.Vigneshwaran



W.P.No.16394 of 2023

WEB COPY

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 authority to give permission to conduct cultural programme (Adal Padal) at Salem District Pethanaickenpalayam Taluk, Chinnasamudram Colony Village, Arulmighu Sri Mariyamman Thirukovil Festival on 04.6.2023 by considering the petitioner's representation dated 10.5.2023.

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 aforesaid festival is celebrated in a peaceful manner by the villagers, there will be



W.P.No.16394 of 2023

WEB COPY

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:



W.P.No.16394 of 2023

WEB COPY

- 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



W.P.No.16394 of 2023

WEB COPY

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
Ethapur Police Station
Salem District-636117.

2. The Public Prosecutor,
High Court, Madras.

jas



WEB COPY



W.P.No.16394 of 2023

SATHI KUMAR SUKUMARA KURUP, J.

jas

W.P.No.16394 of 2023

25.5.2023