



WEB COPY



W.P.No.16828 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.No.16828 of 2023

R.Kuralarasan

...Petitioner

Vs.

The Inspector of Police,
Thirupathur Gramiya Police Station,
Thirupathur District.

...Respondent

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Mandamus, directing the respondent to grant permission and police protection to conduct the cultural event viz., Adal Padal (Song and Dance) program to be held on 08.06.2023 at 06.00 pm onwards in connection with the Temple Festival of Arulmigu Sri Mariamman Temple, Sowdekuppam Village, Thirupathur Taluk, Thirupathur District by considering the petitioner's representation dated 02.06.2023.

For Petitioner : Mr.S.Sathish

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)

ORDER

The Writ Petition has been filed for directing the respondent to grant permission and police protection to conduct Cultural Programme (Adal



W.P.No.16828 of 2023

Padal Nigalchi) in the event of Arulmigu Sri Mariamman Temple, Sowdekuppam Village, Thirupathur Taluk, Thirupathur District on 08.06.2023 from 06.00PM onwards, by considering the petitioners representation dated 02.06.2023.

2.The learned counsel appearing for the petitioner submitted that in order to conduct the cultural programme in the event of Arulmigu Sri Mariamman Temple, Sowdekuppam Village, Thirupathur Taluk, Thirupathur District on 08.06.2023 from 6 PM onwards, the petitioner has sent a representation dated 02.06.2023 to the respondent. But, the same has not been considered so far. Hence, the present writ petition has been filed.

3.The learned Government Advocate (Crl.side) appearing for the respondent submitted that the respondent police has received the representation of the petitioner and the same is pending for consideration.

4. I have considered the submission of the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.side) appearing for the respondent police.

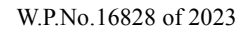


W.P.No.16828 of 2023

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.03316/General.I(1)/2023, dated 01.06.2023, along with instructions to the Superintendents of Police in Districts and their subordinate officers throughout Tamil Nadu for granting permission for conducting cultural programme. As per this circular and guidelines issued by the Director General of Police, the concerned Police officer has to either grant or reject the permission sought, for conducting Aadal Paadal programme and Karakattam programme during temple festival within 7 days from the date of receipt of representation. If permission is not granted within a period of 7 days from the date of receipt of petitioner's representation, it is deemed that permission is granted on the 8th day and petitioner can proceed with the celebration of Aadal Paadal programme and Karakattam programme during the temple festival, subject to, following the conditions laid down in the Circular Memorandum.

6. For an easy understanding, relevant portion of Circular is extracted hereunder,

“... 2) *The Hon'ble High Court of Madras in*



(f) There shall be no supply of alcohol or any intoxicating material in and around the area where cultural program is



W.P.No.16828 of 2023

scheduled to be held;

In case of violation of any conditions, action has to be initiated as required under law and the persons who are the organisers/committee members shall be held responsible.

3) Therefore, the Station House Officers should examine the request of the petitioner thoroughly and take steps, either to grant permission or reject permission within 7 days without fail.

4) All the Commissioners of Police in cities and all the Superintendents of Police in Districts are hereby instructed to sensitize the Station House Officers under their control on these instructions. They will also ensure their instructions are complied with, in letter and spirit. Any violation will be viewed adversely and appropriate disciplinary action should be initiated against the delinquent Station House Officers.”

7. In such circumstances, this Court is of the view that, if permission is not granted to conduct Aadal Paadal programme and Karakattam programme during temple festival within 7 days from the date of receipt of representation by the petitioner, petitioner can proceed with the celebration of Aadal Paadal programme and Karakattam programme during temple festival by following the conditions laid down in the Circular Memorandum in Rc.03316/General.I(1)/2023, dated 01.06.2023.



W.P.No.16828 of 2023

G.CHANDRASEKHARAN, J.

kmm/mn

8. With the above direction, this Writ Petition is disposed of. No costs.

07.06.2023

Index :Yes/No
Internet :Yes/No
kmm/mn

To

1.The Inspector of Police,
Thirupathur Gramiya Police Station,
Thirupathur District.

2.The Public Prosecutor,
High Court of Madras.

W.P.No.16828 of 2023