WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **07.06.2023**

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.No.16929 of 2023

P.Ananda Venkatesh ...Petitioner

Vs.

The Inspector of Police,
Arachalur Police Station,
Arachalur,
Erode 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 grant permission and police protection to conduct Cultural Programme (Adal Padal Nigalchi) in the event of Attavanai Anumanpalli, Pallathukadai - Alankadu Arulmigu Sree Bathra Kaliyamman Temple Festival at Modakurichi Taluk, Erode District on 30.06.2023 between 06.00 PM and 11.00 PM by considering the petitioner's representation dated 01.06.2023.

For Petitioner : Mr.A.Sathishkumar
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

https://www.mhc.tn.gov.in/judis

WEB COPY

Padal Nigalchi) in the event of Attavanai Anumanpalli, Pallathukadai - Alankadu Arulmigu Sree Bathra Kaliyamman Temple Festival at Modakurichi Taluk, Erode District on 30.06.2023 between 06.00PM to 11.00PM by considering the petitioners representation dated 01.06.2023.

2.The learned counsel appearing for the petitioner submitted that in order to conduct the cultural programme in the event of Attavanai Anumanpalli, Pallathukadai - Alankadu Arulmigu Sree Bathra Kaliyamman Temple Festival at Modakurichi Taluk, Erode District on 30.06.2023 between 6 PM to 11 PM, the petitioner has sent a representation dated 01.06.2023 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.

https://www.mhc.tn.gov.in/judis

WEB COPY

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

https://www.mhc.tn.gov.in/judis

WEB COPY

W.P.No.(MD).No.12535/2023 dated 24.05.2023 have issued the following directions to all the Superintendents of Police in Districts and their subordinate officers for granting permission for "Aadal Paadal Programme and Karakattam Programme"

a) On the seventh day from the date of the receipt of the representation, for the conduct of the cultural program (Aadal Paadal), associated with any temple festival, if the authorities do not take steps either to grant permission or reject permission, there shall be a deemed permission on the eighth day;

(b)On such deemed permission, the organizers, who shall be the responsible members of the festival committee, shall ensure that only cultural programs having some relevance to the temple or the festival in question would be conducted and there shall not be any obscene display/dance being conducted;

(c)The program shall not extend beyond 10 p.m.;

(d)No women participating in the cultural program would be depicted or portrayed in an obscene or undignified manner either in the form of clothing or otherwise;

(e)The music that shall be used shall be in sync with the precincts of the temple and double meaning songs should not be played;

(f)There shall be no supply of alcohol or any intoxicating

https://www.mhc.tn.gov.in/judis

WEB COPY

material in and around the area where cultural program is 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

https://www.mhc.tn.gov.in/judis

WEB COPY

festival by following the conditions laid down in the Circular Memorandum in Rc.03316/General.I(1)/2023, dated 01.06.2023.

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,
Arachalur Police Station,
Arachalur,
Erode District.

2.The Public Prosecutor,
High Court of Madras.

W.P.No.16929 of 2023

WEB COPY

07.06.2023