



W.P.No.18146 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

W.P.No.18146 of 2023

Elumalai

... Petitioner

Vs.

1.The Superintendent of Police
Office of Superintendent of Police,
Viluppuram District.

2.The Inspector of Police,
Kottakuppam Police Station,
Kottakuppam,
Viluppuram District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue Writ of Certiorarified Mandamus, calling for all records pertaining to the impugned order passed by the 2nd respondent in Order dated 14.06.2023 and quash the same and consequently directing the 2nd respondent to give permission to conduct the dance program at Shri Bilavadi Amman Temple festival at Kilputhupattu village, Marakkanam Taluk, Villupuram District on 20.06.2023.

For Petitioner : Mr.A.Saranraj

For Respondents : Mr.Leonard Arul Joseph Selvam



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Government Advocate (Crl side)

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ORDER

This Criminal Original Petition has been filed calling for all records pertaining to the impugned order passed by the 2nd respondent in Order dated 14.06.2023 and quash the same and consequently directing the 2nd respondent to give permission to conduct the dance program at Shri Bilavadi Amman Temple festival at Kilputhupattu village, Marakkanam Taluk, Villupuram District on 20.06.2023.

2.The learned counsel for the petitioner submitted that petitioner gave a representation to the respondents seeking permission to conduct Adal Padal program during the celebration of temple festival of Shri Bilavadi Amman Temple, at Kilputhupattu Village, Marakkanam Taluk, Viluppuram district, scheduled on 20.06.2023. The Inspector of Police, Kottakuppam Police Station, Viluppuram district, while giving permission for conducting temple festival rejected the permission sought for conducting Adal Padal program for the reason that some persons would dance after consumption of alcohol and that would lead to law and order issue.



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3.It is the further submission of learned counsel for the petitioner that in the last twenty-five years, Adal Padal program being organized during the temple festival and so far no law and order issue was reported.

4.The learned Government Advocate (Criminal side) conceded that there was no law and order issue reported during the past temple festival.

5.Considered the rival submissions and perused the records.

6.It is seen from the submissions that petitioner's representation for conducting Adal Padal program during the temple festival of Shri Bilavadi Amman Temple, at Kilputhupattu Village, Marakkanam Taluk, Viluppuram district, scheduled on 20.06.2023 was rejected for the reason that, the second respondent, apprehended that some persons would dance after consumption of alcohol and that would lead to law and order problem. However, it is submitted that petitioner has been conducting Adal Padal program for the past twenty-five years and so far no law and order problem had been reported. The learned Government Advocate (Criminal side) also conceded that so far no law and order problem was reported during the temple festival.



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7. In the light of the submission of learned counsel appearing for parties, this Court is of the view that mere apprehension by the second respondent that some person would consume alcohol and indulge in law and order problem is not a ground for rejecting the prayer sought for. Therefore, the proceedings of second respondent dated 14.06.2023, is set aside and this Writ Petition is allowed, giving direction to the second respondent to give permission for conducting Adal Padal program during the temple festival of Shri Bilavadi Amman Temple, at Kilputhupattu Village, Marakkanam Taluk, Viluppuram district, scheduled on 20.06.2023 and give necessary Police protection on payment of necessary charges with appropriate conditions. No costs.

19.06.2023

Index: Yes/No

Speaking/Non speaking order

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Note: Issue order copy on 19.06.2023



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To

1.The Superintendent of Police
Office of Superintendent of Police,
Viluppuram District.

2.The Inspector of Police,
Kottakuppam Police Station,
Kottakuppam,
Viluppuram District.

3. The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN.J.,

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