



W.P.No.18393 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.No.18393 of 2023

M.Palanivel

...Petitioner

Vs.

The Sub Inspector of Police,
Yethapur Police Station,
Yethapur,
Salem District.

...Respondent

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus, to call for the records of the respondent dated 15.06.2023 and quash the same and consequently directing the respondent to grant permission and police protection to conduct cultural programme (Adal Padal Nigalchi) in the event of A.Komarapalayam Village Arulmigu Sree Kamatchi Amman Temple Festival at P.N.Palayam Taluk, Salem District on 25.06.2023 between 06.00 PM and 11.00 PM.

For Petitioner : Mr.A.Sathishkumar

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



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ORDER

The Writ Petition has been filed for for the records of the respondent dated 15.06.2023 and quash the same and consequently directing the respondent to grant permission and police protection to conduct cultural programme (Adal Padal Nigalchi) in the event of A.Komarapalayam Village Arulmigu Sree Kamatchi Amman Temple Festival at P.N.Palayam Taluk, Salem District on 25.06.2023 between 06.00 PM and 11.00 PM.

2. Learned counsel for the petitioner submitted that, petitioner submitted a representation dated 15.06.2023 seeking permission to conduct Adal Padal programme during temple festival on 25.06.2023 at 06.00 p.m. to 11.00 p.m. at A.Komarapalayam Village Arulmigu Sree Kamatchi Amman Temple Festival at P.N.Palayam Taluk, Salem District. This representation was rejected by the respondent, stating that, there is a possibility of law and order issue to crop up. Therefore, this petition is filed challenging the order passed by the respondent on 15.06.2023 and for giving permission for conducting Adal Padal programme on 25.06.2023.

3. Learned Government Advocate (Criminal side) submitted that, a secret enquiry conducted by the respondent revealed that, if Adal Padal programme is conducted, there is a possibility of law and order issue to crop



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up and therefore, permission was rejected to conduct Adal Padal programme during temple festival on 25.06.2023 at A.Komarapalayam Village Arulmigu Sree Kamatchi Amman Temple Festival at P.N.Palayam Taluk, Salem District.

4. In reply, learned counsel for the petitioner submitted that, Adal Padal programme is being conducted for the last 7 years during the temple festival at A.Komarapalayam Village Arulmigu Sree Kamatchi Amman Temple Festival at P.N.Palayam Taluk, Salem District and so far, no law and order issue had ever come up. Petitioner is prepared to file an undertaking that, he would ensure that no law and order will come up.

5. Considered the rival submissions and perused the records.

6. In light of the submissions made by the learned counsel for the parties and the fact that, Adal Padal programme is being conducted for the last 7 years during the temple festival at A.Komarapalayam Village Arulmigu Sree Kamatchi Amman Temple Festival at P.N.Palayam Taluk, Salem District and so far, no law and order issue had ever come up, the order



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dated 15.06.2023, rejecting the permission to conduct Adal Padal during temple festival is not a reasoned order, this Court set asides the order dated 15.06.2023 passed by the respondent. The respondent is directed to consider the petitioner's representation dated 15.06.2023 afresh and pass positive order, giving permission for conducting Adal Padal programme during temple festival on 25.06.2023 at A.Komarapalayam Village Arulmigu Sree Kamatchi Amman Temple Festival at P.N.Palayam Taluk, Salem District, with necessary conditions mentioned in the Circular Memorandum issued by Director General of Police, Tamil Nadu, Chennai, in Rc.007301/Genl.I(1)/2019, dated 09.04.2019 and Rc.03316/General.I(1)/2023, dated 01.06.2023.

7. With the above directions, this Writ Petition is disposed of. No costs.

21.06.2023

Index :Yes/No
Internet :Yes/No
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To



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1. The Sub Inspector of Police,
Yethapur Police Station,
Yethapur,
Salem District.

2. The Public Prosecutor,
High Court of Madras.

G.CHANDRASEKHARAN, J.



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