



W.P.No.18660 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.No.18660 of 2023

M.Prabu

...Petitioner

Vs.

The Sub Inspector of Police,
Bhavani Police Station,
Bhavani.,
Erode 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 20.06.2023 and quash the same and consequently directing the respondent to grant permission and Police protection to conduct Cultural programme (Adal Padal Nigalchi) at Jeeva Thidal in the event of Andikulam, Kadaiyampatti Arulmigu Sree Mariyamman Temple Festival at Bhavani Taluk, Erode District on 25.06.2023 between 5.00 P.M. and 11.00 P.M.

For Petitioner : Mr.A.Sathishkumar

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



W.P.No.18660 of 2023

WEB COPY

ORDER

The Writ Petition has been filed to call for the records of the respondent dated 20.06.2023 and quash the same and consequently directing the respondent to grant permission and Police protection to conduct Cultural programme (Adal Padal Nigalchi) at Jeeva Thidal in the event of Andikulam, Kadaiyampatti Arulmigu Sree Mariyamman Temple Festival at Bhavani Taluk, Erode District on 25.06.2023 between 5.00 P.M. and 11.00 P.M.

2.The learned counsel for the petitioner submitted that, petitioner submitted a representation dated 20.06.2023 seeking permission to conduct Adal Padal programme during temple festival on 25.06.2023 at 05.00 p.m. to 11.00 p.m. at “Kadaiyampatti Arulmigu Sree Mariyamman Temple Festival” at Andikulam, Bhavani Taluk, Erode District. This representation was rejected by the Sub-Inspector of Police, Bhavani Police Station, Bhavani District. Therefore, this petition is filed challenging the rejection order passed by the respondent Police and for giving permission for conducting Adal Padal programme on 25.06.2023.



W.P.No.18660 of 2023

3.In response, the learned Government Advocate (Criminal side) submitted that, respondent police on enquiry came to know that if permission is granted for Adal Padal event, it would lead to law and order problem. Therefore, permission was rejected.

4.In reply, the learned counsel for the petitioner submitted that, petitioner has been conducting Adal Padal event during temple festival for the past two decades. So far no law and order problem was reported and only for the purpose of rejecting the petitioner's representation, it was wrongly said that if permission is granted law and order issue would come up.

5.On enquiry, the learned Government Advocate (Criminal side) submitted so far no law and order problem was reported during the Adal Padal event in the temple festival during the past years.

6.In view of the submissions made by the learned counsel appearing for the parties, this Court is of the view that mere apprehension that if permission to Adal Padal program is granted, that would lead to law and



W.P.No.18660 of 2023

order problem, cannot be a ground for rejection of petitioner's representation, unless, the apprehension is supported by materials. No such materials is produced before this Court. Therefore, the order dated 20.06.2023 passed by the respondent is set aside. Respondent Police is directed to consider the petitioner's representation dated 20.06.2023 and give permission for conducting Adal Padal event on 25.06.2023 during the festival of Kadaiyampatti Sree Kamatchi Amman Temple, Andikulam, Bhavani Taluk, Erode District, subject to imposing necessary conditions as per 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.

22.06.2023

Index :Yes/No
Internet :Yes/No
ep



WEB COPY



W.P.No.18660 of 2023

To

- 1.The Sub Inspector of Police,
Bhavani Police Station,
Bhavani.,
Erode District.
- 2.The Public Prosecutor,
High Court of Madras.



WEB COPY



W.P.No.18660 of 2023

G.CHANDRASEKHARAN, J.

ep

W.P.No.18660 of 2023



WEB COPY



W.P.No.18660 of 2023

22.06.2023