



WEB COPY



W.P.No.18747 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE **G.CHANDRASEKHARAN**

W.P.No.18747 of 2023

C.Sankar

...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 nil 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.Kmarapalayam Village Arulmigu Sree Kamatchi Amman Temle Festival at P.N.Palayam Taluk, Salem District on 29.06.2023 between 06.00 PM and 11.00 PM.

For Petitioner : Mr.A.Sathishkumar

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



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ORDER

This Writ Petition has been filed calling for the records of the respondent dated nil 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.Kmarapalayam Village Arulmigu Sree Kamatchi Amman Temle Festival at P.N.Palayam Taluk, Salem District on 29.06.2023 between 06.00 PM and 11.00 PM.

2. The learned counsel for the petitioner submitted that the petitioner submitted a representation to the Sub-Inspector of Police, Yethapur Police Station, seeking permission for organizing Adal Padal event during the temple festival at A.Kmarapalayam Village Arulmigu Sree Kamatchi Amman Temle Festival at P.N.Palayam Taluk, Salem District on 29.06.2023. The said representation was rejected stating that if the Adal Padal event is organized that would create law and order problem. It is his further submission that the petitioner is conducting Adal Padal event during the temple festival for the past 10 years. So far, no law and order problem was reported. Thus, this petition.

3. The learned Government Advocate (Criminal side) submitted that the



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permission was rejected on the ground of expecting law and order problem, if

the Adal Padal event is conducted.

4. Considered the rival submissions and perused the records.

5. It is seen from the submission of the learned counsel for the petitioner that the Adal Padal event is conducted during the temple festival at Arulmigu Sree Kamatchi Amman Temple Festival at P.N.Palayam Taluk, Salem District for the past 10 years and so far no law and order problem was reported. It appears no criminal case has been registered in connection with law and order problem during the temple festival in past years. Therefore, on the mere apprehension that if the permission is granted for conducting Adal Padal event, it would create law and order issue, is not a ground for rejecting the permission, without any substantiating material. No substantiating material is available to justify the respondent's apprehension. Therefore, the order dated nil passed by the respondent is hereby set aside. The respondent is directed to give permission for conducting Adal Padal event of Arulmigu Sree Kamatchi Amman Temple Festival at P.N.Palayam Taluk, Salem District, on 29.06.2023, between 06.00 pm and 11.00 pm, with necessary conditions mentioned in the Circular



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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.

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

26.06.2023

Index :Yes/No

Internet :Yes/No

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To

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

2.The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN, J.

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