



WEB COPY



W.P.No.18816 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2023

CORAM:

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

W.P.No.18816 of 2023

M.Pachaikaliappan

...Petitioner

Vs.

The Inspector of Police,
Anchetti Police Station,
Anchetti Taluk,
Krishnagiri District-635102.

...Respondent

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleased to issue a Writ of Certiorarified Mandamus, calling for the entire records relating to the impugned proceeding dated 17.06.2023 from the file of the respondent, quash the same and further direct the respondent to consider the petitioner's representation dated 17.06.2023 for seeking police protection and to grant permission to conduct the cultural programme of Adal Padal on 27.06.2023 at 06.00 PM to 11.00 PM at “Sri Mariamman Temple festival” Geratty Village, Sesurajapuram Post, Anchetti Taluk, Krishnagiri District.

For Petitioner : Mr.S.Mayilnathan

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 entire records relating to the impugned proceeding dated 17.06.2023 from the file of the respondent, quash the same and further direct the respondent to consider the petitioner's representation dated 17.06.2023 for seeking police protection and to grant permission to conduct the cultural programme of Adal Padal on 27.06.2023 at 06.00 PM to 11.00 PM at “Sri Mariamman Temple festival” Geratty Village, Sesurajapuram Post, Anchetti Taluk, Krishnagiri District.

2. The learned counsel for the petitioner submitted that the petitioner submitted a representation to the Inspector of Police, Anchetti Police Station, seeking permission for organizing Adal Padal event of “Sri Mariamman Temple festival” Geratty Village, Sesurajapuram Post, Anchetti Taluk, Krishnagiri District on 27.06.2023. 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 several years. So far, no law and order problem was reported. Thus, this petition.



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3. The learned Government Advocate (Criminal side) submitted that the 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 of “Sri Mariamman Temple” Geratty Village, Sesurajapuram Post, Anchetti Taluk, Krishnagiri District for the past several years and so far no law and order problem is 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 17.06.2023 passed by the respondent is hereby set aside. The respondent is directed to give permission for conducting Adal Padal event of “Sri Mariamman Temple festival” Geratty Village, Sesurajapuram Post,



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Anchetti Taluk, Krishnagiri District on 27.06.2023, between 06.00 pm and 11.00 pm, 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.

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

23.06.2023

Index :Yes/No
Internet :Yes/No
mn

To

1. The Inspector of Police,
Anchetti Police Station,
Anchetti Taluk,
Krishnagiri District-635102.
2. The Public Prosecutor,
High Court of Madras.

G.CHANDRASEKHARAN, J.



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