



WEB COPY



W.P.No.19087 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.06.2023

CORAM:

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

W.P.No.19087 of 2023

C.Loganathan

...Petitioner

Vs.

The Sub-Inspector of Police,
Ethapur Police Station,
Salem District.

...Respondent

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus, calling for all records pertaining to the Impugned Order passed by the Respondent his Proceeding dated 17.06.2023 and quash the same and consequently directing the respondent to give permission to conduct cultural Programme (Adal Padal) at Salem District, Pethanaickenpalayam Taluk, Puthiragoundampalayam Post, Devandra Nagar, Sri Mariyamman and Maduraiveeran Thirukovil festival on 29.06.2023.

For Petitioner : Mr.M.Vigneshwaran

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



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ORDER

This Writ Petition has been filed calling for all records pertaining to the Impugned Order passed by the Respondent his Proceeding dated 17.06.2023 and quash the same and consequently directing the respondent to give permission to conduct cultural Programme (Adal Padal) at Salem District, Pethanaickenpalayam Taluk, Puthiragoundampalayam Post, Devandra Nagar, Sri Mariyamman and Maduraiveeran Thirukovil festival on 29.06.2023.

2. The learned counsel for the petitioner submitted that the petitioner submitted a representation to the Inspector of Police, Ethapur Police Station, seeking permission for organizing Adal Padal event during the temple festival of Sri Mariyamman and Maduraiveeran Thirukovil festival Pethanaickenpalayam Taluk, Puthiragoundampalayam Post, Devandra Nagar, at 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 many 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 Mariyamman and Maduraiveeran Thirukovil festival, Pethanaickenpalayam Taluk, Puthiragoundampalayam Post, Devandra Nagar at Salem District for the past many 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 Mariyamman and Maduraiveeran Thirukovil



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festival, Pethanaickenpalayam Taluk, Puthiragoundampalayam Post, Devandra Nagar at Salem District on 29.06.2023, 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.

27.06.2023

Index :Yes/No
Internet :Yes/No
mn

To

1. The Sub-Inspector of Police,
Ethapur Police Station,
Salem District.

2.The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN, J.

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