



WEB COPY



W.P.No.19529 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2023

CORAM:

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

W.P.No.19529 of 2023

C.Murugan

...Petitioner

Vs.

The Sub Inspector of Police,
Mangalapuram Police Station,
Mangalapuram,
Namakkal 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 26.06.2023 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 Vembagoundapudur Village Arulmigu Sree Mariyamman Temple Festival at Rasipuram Taluk, Namakkal District on 06.07.2023 between 06.00 PM to 11.00 PM.

For Petitioner : Mr.A.Sathishkumar

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



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ORDER

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This Writ Petition has been filed calling for the records of the respondent dated 26.06.2023 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 Vembagoundapudur Village Arulmigu Sree Mariyamman Temple Festival at Rasipuram Taluk, Namakkal District on 06.07.2023 between 06.00 PM to 11.00 PM.

2. The learned counsel for the petitioner submitted that the petitioner submitted a representation to the Sub Inspector of Police, Mangalapuram Police Station, seeking permission for organizing Adal Padal event during the temple festival at Vembagoundapudur Village Arulmigu Sree Mariyamman Temple Festival at Rasipuram Taluk, Namakkal District on 06.07.2023 between 06.00 PM to 11.00 PM. The said representation was rejected stating that if the Adal Padal event is organized that would create law and order problem. 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 at Vembagoundapudur Village Arulmigu Sree Mariyamman Temple Festival at Rasipuram Taluk, Namakkal District for the past 5 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 26.06.2023 passed by the respondent is hereby set aside. The respondent is directed to give permission for conducting Vembagoundapudur Village Arulmigu Sree Mariyamman Temple Festival at



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Rasipuram Taluk, Namakkal District on 06.07.2023 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.

30.06.2023

Index :Yes/No
Internet :Yes/No
sma

To

1.The Sub Inspector of Police,
Mangalapuram Police Station,
Mangalapuram,
Namakkal District.

2.The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN, J.

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