

HIGH COURT OF JUDICATURE AT MADRAS**Bench: Justice N.Anand Venkatesh****Date of Decision: 22 January 2024**

Writ Petition No.1430 of 2024 and W.M.P.No.1460 of 2024

L.Ganapathy ...PETITIONER**VERSUS****The Assistant Commissioner of Police, Avadi Division, Pattabhiram Division Incharge, Avadi Commissionerate.****The Inspector of Police, Avadi Police Station, 206, Nehru Bazaar Road, Vivekananda Nagar, TNHB MIG V Block, Avadi, Chennai 600 054.
...RESPONDENT(S)****Legislation:**

Article 226 of the Constitution of India

Subject:

Challenge against the order rejecting permission for conducting Rama Nama Bhajan and Annadhanam at KKR Kalyana Mandapam, Pattabiram, and subsequent directions regarding permissions for conducting such functions.

Headnotes:

Challenging of Rejection Order – Petitioner filed writ petition challenging the refusal by the first respondent to grant permission for conducting Bhajan and Annadhanam on 22.01.2024 at KKR Kalyana Mandapam – Subsequent grant of permission by the first respondent presented before the Court [Paras 1, 3].

Government and Police's Stand on Permissions – Court sought clarification on the policy for granting permissions for functions and Annadhanams – Permissions not required for events in private spaces like mandapams or private temples – Necessary to inform police for events with potential public spill over – Conditions for events in temples controlled by HR & CE Department – Police discretion in sensitive areas to impose restrictions [Para 6].

Directions and Observations – Court directed that Bhajans, Rama Nama utterances, and Annadhanams are not prohibited or restricted – Emphasized the need for responsible conduct without causing law and order problems – Misinformation to be avoided – Bhakti towards God highlighted as a means for peace and happiness, not disturbing societal equilibrium [Para 7].

Disposal of Writ Petition – Writ petition disposed with the above directions – No costs imposed – Connected miscellaneous petition closed [Para 8].

Referred Cases: None.

Representing Advocates:

For Petitioner: Mr.G.Karthikeyan, Senior Counsel and Mr.S.Ravi, Senior Counsel for Mr.Abhinav Parthasarathy and Mr.Tarun Rao Kallakuru

For Respondents: Mr.A.Damodharan, Additional Public Prosecutor

ORDER

This writ petition was filed challenging the refusal order passed by the first respondent through the proceedings dated 21.01.2024 rejecting the permission sought for to conduct Bhajan and Annadanam on 22.01.2024 at the Kalyana Mandapam.

2. Heard Mr.G.Karthikeyan, learned Senior Counsel and Mr.S.Ravi, learned

Senior Counsel appearing for the petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for the respondents.

3. When the matter was taken up for hearing, the learned Additional Public Prosecutor appearing on behalf of the respondents submitted that permission has been granted by the first respondent subsequently and the copy of the proceedings dated 21.01.2024 was also placed before this Court.

4. Since many such functions are going to be held, this Court wanted to understand the stand of the Government and the Police with regard to granting permission to conduct such functions / annadhanams.

5. Learned Additional Public Prosecutor circulated the stand of the Government and also made oral submissions with regard to the stand of the Police in this regard.

6. The following has been made clear by the Government and they are;

- (a) The functions / Bhajans / Annadhanams that are conducted in private enclosures like mandapams, private temples and any other private place etc., does not require any permission from the police. It will be left open to the organizers to make arrangements for live streaming of the Pran Prathishta at Ayodhya.
- (b) Where, by conducting such functions, there is a possibility of spill over to the place which is accessed by the general public, the same has to be informed to the police in order to enable the police to take necessary measures to keep the situation under control and to ensure that no disturbance is caused to the free movement of the general public.
- (c) If such functions are planned to be conducted within temples, which are within the control of the HR & CE Department, the concerned official belonging to the Department must be informed about the same before hand, and the permission will be granted subject to reasonable conditions imposed by the Department, and
- (d) Wherever, considering the local situation, the police is of the opinion that the area is sensitive, it will be left open to the police to impose such restrictions and to ensure that the function does not lead to any unnecessary law and order problem.

7. The above stand taken by the State Government and the Police makes it quite clear that conducting the function considering the auspicious occasion, singing Bhajans / uttering Rama Nama / Annadhanams is not per se prohibited or restricted and it must be borne in mind that all this will be done in a responsible and pious manner today without giving rise to any law and order problem. No misinformation or wrong information must be permitted to be spread and this will be kept in mind by all parties concerned. Ultimately everyone concerned must keep in mind that Bhakti towards God is

only for peace and happiness and not to disturb the equilibrium prevailing in the society.

8. This writ petition is disposed of with the above directions. No costs.

Consequently, connected miscellaneous petition is closed.

© All Rights Reserved @ LAWYER E NEWS

*Disclaimer: Always compare with the original copy of judgment from the official website.