



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.03.2015

CORAM:

THE HONOURABLE DR. JUSTICE S.TAMILVANAN

and

THE HONOURABLE MR. JUSTICE V.S.RAVI

W.P. (MD) No.4807 of 2015

C.Varuvel

... Petitioner

Vs.

1.The District Collector,
Kanyakumari District, Nagercoil.

2.The Superintendent of Police,
Kanyakumari District, Nagercoil.

3.The Inspector of Police,
Niththiravilai Police Station,
Kanyakumari District.

... Respondents

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to grant permission and given protection to offer prayers in the assemblies of God Church situate in R.S.No.275/8, Arudesom Village, Vilavancode Taluk, Kanyakumari District in the eve of Good Friday, Easter festival which is scheduled to be held on 02.04.2015 to 05.04.2015.

For Petitioner : M/s.C.Bharathi

For Respondents : Mr.M.Alaguthevan, Spl.G.P.

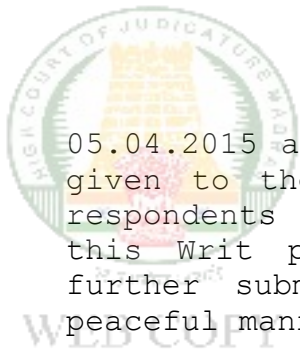
O R D E R

(Order of this Court was made by **S.TAMILVANAN, J.**)

This Writ petition has been filed invoking Article 226 of the Constitution of India, seeking an order in the nature of Writ of Mandamus, directing the respondents to grant permission and given protection to offer prayers in the assemblies of God Church situate in R.S.No.275/8, Arudesom Village, Vilavancode Taluk, Kanyakumari District in the eve of Good Friday, Easter festival which is scheduled to be held on 02.04.2015 to 05.04.2015.

2.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

3.Learned counsel appearing for the petitioner would submit that prayers in the assemblies of God Church situate in R.S.No.275/8, Arudesom Village, Vilavancode Taluk, Kanyakumari District in the eve of Good Friday, Easter festival which is scheduled to be held on 02.04.2015 to



05.04.2015 are being conducted. In this connection, a representation was given to the respondents, however, the same was not considered by the respondents so far and hence, the petitioner is before this Court with this Writ petition. The learned counsel appearing for the petitioner further submitted that as the aforesaid function is celebrated in a peaceful manner, there will be no untoward incident by the people.

4.Mr.M.Alagathevan, learned Special Government Pleader appearing for the respondents, on instructions, would submit that the permission sought for by the petitioner may be granted with stringent conditions for maintaining law and order and also to avoid any untoward incident during performance of such programme.

5.Having considered the facts and circumstances and the submissions made by the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents, we are of the view that necessary permission shall be granted to the petitioner to conduct prayers in the assemblies of God Church situate in R.S.No.275/8, Arudesom Village, Vilavancode Taluk, Kanyakumari District in the eve of Good Friday, Easter festival which is scheduled to be held on 02.04.2015 to 05.04.2015 with reasonable conditions.

6.Accordingly, the Writ petition is disposed of with the following directions:

(a)The prayers in the assemblies of God Church situate in R.S.No.275/8, Arudesom Village, Vilavancode Taluk, Kanyakumari District in the eve of Good Friday, Easter festival which is scheduled to be held between 02.04.2015 to 05.04.2015 at 6.00 p.m. and 10.30 p.m.

(b)There should not be any kind of obscene dance or vulgar dialogues during the performance, by anyone of the participants;

(c)Double meaning songs should not be played so as to spoil the minds of students and the youth.

(d)No dance or songs, touching upon any political party or religion community or caste be played.

(e)No flex boards in support of any political party or religious leader be erected.

(f)The function should not affect either religious or communal harmony and shall be conducted without any discrimination based on caste.

(g)If there is any violation of any one of the conditions imposed, the concerned police officer is at liberty to take necessary action, as per law and stop such performance; and

(h)Similarly, the police is empowered to stop the dance programme, if it exceeds beyond the permitted time.

(i)The second respondent is directed to issue necessary permission, incorporating the above conditions.

No order as to costs.

Sd/
Assistant Registrar

/True copy/



To

1.The District Collector,
Kanyakumari District, Nagercoil.

2.The Superintendent of Police,
Kanyakumari District, Nagercoil.

3.The Inspector of Police,
Niththiravilai Police Station,
Kanyakumari District.

+1cc to M/S. C.Bharathi, Advocate in SR.No. 16023

TS/01.04.2015/2P-5C

W.P. (MD) No.4807 of 2015

31.03.2015