



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.10.2017

WEB COPY

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.(MD) No.18555 of 2017

Johnson, S/o. Issac,
Headmaster, Sunday School,
The Pentecostal Mission,
Opposite to Union Office,
Shanmugavel Nadar Nagar,
Aruppukottai,
Virudhunagar District.

... Petitioner

-Vs-

1.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.

2.The Deputy Superintendent of Police,
Aruppukottai,
Virudhunagar District.

3. The Inspector of Police,
Aruppukottai Town Police Station,
Virudhunagar District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the third respondent in his proceedings No.Nil, dated 02.10.2017 and to quash the same in respect of conducting the procession on 08.10.2017 and further to direct the respondents to grant permission to conduct the procession on 08.10.2017.

For Petitioner : Mr.G.Marimuthu

For Respondents : Mr.D.Muruganantham,
Additional Government Pleader.

O R D E R

<https://hcservices.eCourts.gov.in/Welcome/> This petition is filed for issuing a Writ of Certiorarified Mandamus, to quash the impugned order dated 02.10.2017 passed by the third respondent, refusing to grant



permission for conducting Procession in connection with Convention organized by the petitioner.

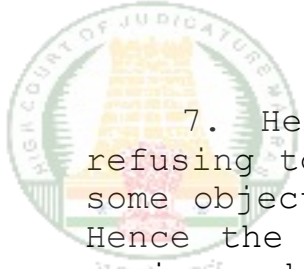
2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3. The petitioner states that he is the member and believer of Pentecostal Mission. The petitioner also states that he is also the Headmaster of Sunday school run by the Pentecostal Mission. The petitioner further states that the Pentecostal Mission is a society registered under Tamil Nadu Societies Registration Act, 1975 and that the aim and object of the Society is to promote the ideas of the Jesus Christ. It is also stated that the branch of the Pentecostal Mission is located in Aruppukottai which is nearer to the Union Office and it is more than sixty years old. The petitioner also submits that the believers and the head of the Pentecostal Mission, at Aruppukottai, decided to conduct a Convention Meeting from 08.10.2017 to 10.10.2017, at C.S.I. School Ground, Aruppukottai. The petitioner further states that they have decided to conduct a Procession from Union Office through C.S.I. Church ground covering a distance of about 3.2 Kilometers. When the permission was applied by the petitioner, it is stated that the third respondent though granted permission for conducting the Convention Meeting for 3 days from 08.10.2017 to 10.10.2017, refused to give permission to conduct the Procession. The learned counsel for the petitioner submitted that the reason to reject the permission to conduct the Procession is not stated in the order.

4. However, the learned Additional Government Pleader produced before this Court, a representation given by the Wing of "Hindu Munnani" stating that the petitioner cannot be permitted to organize either Convention or Procession, as the religious meeting and Procession is meant for converting Hindus to Christianity.

5. Except as stated above, the reason is not stated in the impugned order. Even assuming that the representation is given by the other group unless there is any allegation that their fundamental right guaranteed under the Constitution is affected, it need not be considered by the respondents for the purpose of preventing the lawful assembly and genuine request to conduct the Procession in connection with Convention. The respondent cannot prohibit such procession unless there is a likelihood of law and order problem at the instance or because of the nature of Procession or Meeting organized by the petitioner.

6. Our country which wants to live in peace is also known for our religious tolerate. Despite several religions, caste and ~~communities~~ have proved the real meaning of secularism by administering the law.



7. Hence, this Court is inclined to hold that the order refusing to permit to conduct religious Procession on the basis of some objection raised by another group of people is not warranted. Hence the impugned order is set aside. The respondents have no serious objection with regard to the Convention Meeting to take place. However, the petitioner cannot be permitted to conduct any meeting in public road or demonstration at the time during the Procession. There shall not be any Mike Sets or other equipments during the Procession. The respondents are at liberty to put any further restrictions or to impose any conditions purely in the interest of preserving public order and tranquillity. There can be a total ban for putting up any Flex Boards representing any community.

8. With the above observation, the Writ petition is disposed of.

9. The petitioner shall pay a cost of Rs.2,000/- (Rupees Two Thousand only) to the credit of the Hon'ble Chief Justice Relief Fund, Madurai Bench of Madras High Court, Madurai, within today, failing which, the order copy shall not be furnished today. No costs.

Sd/-
Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar.

To

1. The Superintendent of Police, Virudhunagar District,
Virudhunagar.
2. The Deputy Superintendent of Police, Aruppukottai,
Virudhunagar District.
3. The Inspector of Police, Aruppukottai Town Police Station,
Virudhunagar District.

COPY TO:

The Section Officer
Accounts Section,
Madurai Bench of Madras High Court, Madurai.

+1CC to Mr.G.M. LAW OFFICER, SR.No.81878

W.P. (MD) No.18555 of 2017
06.10.2017