

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.03.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.8842 of 2018

Dalit Christian Rights Movements (DCRM),
Rep by its State Co-ordinator Mr.Kumar,
No.32/2, St.Saveriyar Street,
Thachampadi Village Post,
Chetpet Taluk,
Thiruvannamalai District. Petitioner

Vs.

The State of Tamil Nadu rep by
The Inspector of Police,
Chetpet Police Station,
Thiruvannamalai District. Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the respondent to give permission for the pathayatra and provide adequate police protection for the Pathayathra which is scheduled to be held on 24.03.2018 from Devikapuram Bus Stand to Nedunguanm Lourdu Madha Gebi via Thachampadi and Chetput and to give permission to have the loud speaker and mine by considering the petitioner's representation dated 10.03.2018.

For Petitioner : Ms.Selvi George

For Respondent : Mrs.P.Kritika Kamal
Government Advocate (Crl.Side)

ORDER

This petition is filed seeking a direction to the respondent to give permission for the Pathayatra and provide adequate police protection for the Pathayathra which is scheduled to be held on 24.03.2018 from Devikapuram Bus Stand to Nedunguanm Lourdu Madha Gebi via Thachampadi and Chetput and to give permission to have the loud speaker by considering the petitioner's representation dated 10.03.2018.

2. Heard Ms.Selvi George, learned counsel for the petitioner as well as Mrs.P.Kritika Kamal, learned Government Advocate (Crl. side) appearing for the respondent.

3. The petitioner's request for the procession on the eve of Easter Celebration was rejected by the respondent police and hence, the present Criminal Original petition has been filed, seeking for a direction to the respondent to give permission to the petitioner.

4. The petitioner herein claims to be an organisation for creating awareness to the Dalit Christian people through out the State. According to the learned counsel for the petitioner, 50 members are intend to join in the procession and since the procession as such is a peaceful march, no prejudice would be caused to the general public and therefore, the respondent is not justified in refusing to grant permission.

5. Learned Government Advocate (Crl. side) on the other hand submitted that the route through which the petitioner seeks for permission, houses many Hindu families and there is a possibility of communal clashes in the routes.

6. In my view, if at all the respondent police are of the view that the route through which the procession is intended, it is always open to the petitioner to select an alternate route and in this background, suggestion was put to both the counsel. Accordingly, it was suggested by the petitioner's counsel that they are willing to have the procession from Clooney Church to Nedungunan Lourdu Madha Gebi through the alternate route given, the respondent police cannot have any serious objection. However, even in case if there is any law and order problem, it is always open to the respondent police to give permission by imposing reasonable restrictions.

7. With the above observations and direction, the petitioner is granted liberty to approach the respondent herein seeking for necessary permission for the procession to be held on 24.03.2018 by specifying the route from Cluny Church to Nedungunan Lourdu Madha Gebi and on receipt of such representation, the respondent herein shall positively consider the same and grant permission to the petitioner's organisation on the same day. It is always open to the respondent police to impose reasonable restrictions while granting such permission.

8. The Criminal Original petition stands disposed of accordingly.

To

1.The Inspector of Police,
Chetpet Police Station,
Thiruvannamalai District.

2.The Public Prosecutor,
High Court, Madras.

+lcc to Mrs.Selvi George, Advocate SR.No.23028

SDR 09.04.2018

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