



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2018

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

W.P.[MD].No.25149 of 2018

A.T.Chelladurai

: Petitioner

Vs.

The Inspector of Police,
North Police Station,
Goodalur,
Theni District.

: Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent herein to grant permission and adequate police protection for conducting "Innisai Katcheri" (Light Music) on 01.01.2019 from 07.00 p.m to 12.00 p.m on the eve of New Year Celebration in C.S.I Church situated at Angoorpalayam village, Keela Goodalur, Theni District.

For petitioner

: Mr.A.Maniraja

For respondent

: Mr.R.Anandharaj

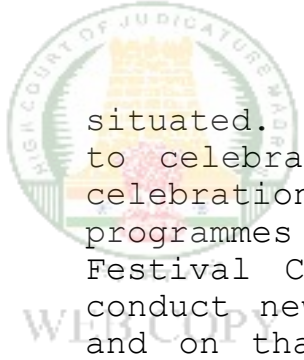
Additional Public Prosecutor

ORDER

This Writ Petition has been filed to direct the respondent herein to grant permission and adequate police protection for conducting "Innisai Katcheri" (Light Music) on 01.01.2019 from 07.00 p.m to 12.00 p.m on the eve of New Year Celebration in C.S.I Church situated at Angoorpalayam village, Keela Goodalur, Theni District.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. The learned counsel for the petitioner would submit that the petitioner is residing at Angoorpalayam village, Keela Goodalur, Theni District. In the petitioner's locality, a C.S.I. Church is



situated. Every year, in the petitioner's village people are used to celebrate a New Year in C.S.I. Church. During the new year celebration, they used to conduct Mass Prayer followed by cultural programmes such as orchestra. The petitioner is the Head of the Festival Committee. Now, the petitioner people have decided to conduct new year celebration in their C.S.I. Church on 01.01.2019 and on that eve of festival, they have decided to conduct Light Music on 01.01.2019 from 07.00 p.m to 12.00. In this regard, the petitioner sent a representation to the respondent on 17.12.2018. Since no action has been taken, the present writ petition has been filed.

4. The learned Additional Public Prosecutor appearing for the respondents, on instructions, would submit that the respondents have no serious objection. He further submitted that permission may be granted subject to stringent conditions.

5. Considering the facts and circumstances of the case, the Writ Petition is disposed of with the following directions:

The respondent police/The Inspector of Police, North Police Station, Goodalur, Theni District is directed to consider the representation of the petitioner, dated 17.12.2018 and to give permission and to provide police protection for "Innisai Katcheri" (Light Music) Programme done by the C.S.I Church situated at Angoorpalayam village, Keela Goodalur, Theni District, scheduled to be held on 01.01.2019, subject to the following conditions;

(a) "Innisai Katcheri" (Light Music) Programme done by C.S.I Church situated at Angoorpalayam village, Keela Goodalur, Theni District scheduled to be held on 01.01.2019 should be completed before 11.00 p.m.

(b) No flex boards in support of any political party or communal leader, shall be erected at the premises of the programme.

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

(d) If there is 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 forthwith; and

(e) Similarly, the police is directed to stop the 'Innisai Katcheri' (Light Music) programme, if it is conducted beyond the permitted time limit.

(f) The petitioner as well as the organizers shall give a letter of undertaking agreeing to strictly adhere to the above conditions.

6. It is open to the respondent police to put any further restrictions or to impose any conditions purely in the interest of



preserving public order and tranquility. There can be a total ban for putting up any Flex Board representing any community. No costs.

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Sd/-
Assistant Registrar (Writs)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1. The Inspector of Police,
North Police Station,
Goodalur,
Theni District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.A.MANIRAJA, ADVOCATE IN SR No. 101685

SKN

TE/SV/SAR-3 : 24/12/2018 : 3P/4C

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20.12.2018