

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.10514 of 2019

R.Govindasamy

... Petitioner

Vs.

1.State Rep. by

The Superintendent of Police,
Krishnagiri District,
Krishnagiri.

2.The Inspector of Police,
Baarur Police Station,
Krishnagiri District.

3.B.Dharuman

4.Arjunan

5.Chinna Mathan

6.Dharuman

7.Balan

... Respondents

PAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the respondents 1 & 2 to grant permission and provide police protection to the petitioner's village to conduct the "SPRITUAL SPEECH OF MAHABHARATHAM" of Sri Throwbathi Amman Temple, Saamaandapatti Village, Puliampatti Thappu, Pochampalli Taluk, Krishnagiri District in a day time scheduled to be held from 20.05.2019 to 10.06.2019 and MAHABARATHA DRAMA will be conduct at night hours based on the representation of the petitioner dated 30.03.2019 forthwith.

For Petitioner : E.Kannadasan

For RR1 & 2 : Mr.C.Raghavan
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed seeking direction to the respondents 1 & 2 to grant permission and provide police protection to the petitioner's village to conduct the "SPRITUAL SPEECH OF MAHABHARATHAM" of Sri Throwbathi Amman

Temple, Saamaandapatti Village, Puliampatti Thappu, Pochampalli Taluk, Krishnagiri District in a day time scheduled to be held from 20.05.2019 to 10.06.2019 and to conduct MAHABARATHA DRAMA during night hours based on the representation of the petitioner dated 30.03.2019.

2.The petitioner is the village hereditary Dharmagartha and the member of the Festival Committee of Sri Throwbathi Amman Temple, Saamaandapatti Village, Puliampatti Thoppu, Pochampalli Taluk, Krishnagiri District. The temple was worshiped by in and around neighboring villagers and also participate in the temple festival, which is conducted every year. This year also the festival committee has decided to conduct temple festival and in connection with it the committee have decided to conduct "Spiritual speech of Mahabaratham" during the day time and also "Mahabharatha Drama" during the night time between 20.05.2019 to 10.06.2019. Therefore, the Committee has made a representation to the respondent 1 and 2 on 30.03.2019 requesting them to grant permission and police protection to conduct the aforesaid speech and drama. Since no order have been passed, the petitioner has filed the present petition with the aforesaid prayer.

3.The learned counsel for the petitioner would submit that the petitioner has made a representation to the respondent police with regard to conduct of spiritual speech as well as Mahabharatha Drama on 30.03.2019 itself. Till now, no orders have been passed. He further submitted that the program will be conducted in a peaceful manner without causing any inconvenience to the public or any other persons.

4.The learned Government Advocate (Crl.Side) would submit that already suits were filed by the counter part for permanent injunction as against the petitioner and respondents 4 to 7 before the learned District Munsif cum Judicial Magistrate, Pochampalli, Krishnagiri District in O.S.No.59 of 2006 and the same was dismissed on 24.09.2014, against which an appeal in A.S.No.12 of 2016 has been filed before the learned Subordinate Judge, Uthangarai, Krishnagiri District and the same is pending.

5.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondents.

6.Considering the facts and circumstances of the case and without going in to the merits of the case, this Court directs the second respondent to consider the petitioner's representation, conduct enquiry with the counter part and pass orders on merits and in accordance with law.

7.It is open to respondent police to put any 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 Boards representing any community.

8.With the above directions, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

- 1.State Rep. by
The Superintendent of Police,
Krishnagiri District,
Krishnagiri.
- 2.The Inspector of Police,
Baarur Police Station,
Krishnagiri District.
M4 Police Station,
Redhills,
Chennai-600 052.
3. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.E.Kannadasan, Advocate Sr.38731

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srg 25/04/2019