



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2019

CORAM :

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P. (MD) No.10166 of 2019

Selvaraj

... Petitioner

Vs.

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

2.The Inspector of Police,
Kallakudi Police Station,
Trichy District.

... Respondents

Prayer: Writ Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to permit the petitioner to conduct light music program during 53rd year Anniversary and Car Festival in St.Xavier Church, Vanthalai Kudalur Village, Lalgudi Taluk, Trichy District on 05.05.2019 at about 08.00 PM onwards and provide adequate police protection.

For Petitioner	: Mr.T.Lenin Kumar
For Respondents	: Mrs.S.Bharathi
	Government Advocate (Crl. Side)

ORDER

This petition has been filed to direct the respondents to grant permission and adequate police protection for conducting light music program during 53rd year Anniversary and Car Festival in St.Xavier Church, Vanthalai Kudalur Village, Lalgudi Taluk, Trichy District on 05.05.2019 at about 08.00 PM onwards.

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

3. The learned counsel for the petitioner would submit that the Villagers have been conducting the temple festival every year peacefully. As per the tradition and customs, this year also the Villagers have planned to conduct a light music program scheduled to be held on 05.05.2019 at about 08.00 PM onwards in connection with 53rd year Anniversary and Car Festival in St.Xavier Church, Vanthalai Kudalur Village, Lalgudi Taluk, Trichy District. In this regard, the petitioner gave a representation to the second respondent on 22.04.2019. Since no action has been taken, the present writ petition has been filed.



4. The learned Government Advocate (Crl. Side) appearing for the respondents, on instructions, would submit that the respondents have no serious objection. She further submitted that permission may be granted subject to stringent conditions.

5. Considering the facts and circumstances of the case, this Court grants permission to conduct light music program scheduled to be held on 05.05.2019 at about 08.00 PM to 11.00 P.M in connection with the "53rd year Anniversary and Car Festival" in St.Xavier Church, Vanthalai Kudalur Village, Lalgudi Taluk, Trichy District and the Writ Petition is disposed of with the following directions:

The second respondent / Inspector of Police, Kallakudi Police Station, Trichy District, is directed to consider the representation of the petitioner, dated 22.04.2019 and to give permission and to provide police protection for "light music program " scheduled to be held on 05.05.2019 at about 08.00 PM to 11.00 PM in connection with the "53rd year Anniversary and Car Festival" in St.Xavier Church, Vanthalai Kudalur Village, Lalgudi Taluk, Trichy District, subject to the following conditions:-

(a) programme I.e., "light music program" done in connection with the 53rd year Anniversary and Car Festival in St.Xavier Church, Vanthalai Kudalur Village, Lalgudi Taluk, Trichy District scheduled to be held on 05.05.2019, should be completed before 11.00 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 as they will spoil the minds of students and youths.

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

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

(f) No donation shall be received from any political party or in the name of any Member associated with any political party.

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

(h) 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



(i) Similarly, the police is directed to stop the programme, if it is conducted beyond the permitted time limit.

(j) 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 second 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.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

To

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

2.The Inspector of Police,
Kallakudi Police Station,
Trichy District.

+1CC TO MR.T.LENIN KUMAR, Advocate Sr. No.62831

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No.63342

W.P. (MD) No.10166 of 2019

DB (CO)

TR (02.05.2019) 3P 5C