



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.05.2019

CORAM:

THE HONOURABLE MR. JUSTICE R. PONGIAPPAN

W.P. [MD] No. 12279 of 2019

M. Sekar

: Petitioner

Vs.

1. The Deputy Superintendent of Police,
Tirunelveli Rural Division,
Tirunelveli District.

2. The Inspector of Police,
Gangaikondan Police Station,
Tirunelveli District.

: Respondents

PRAYER : Petition is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 1st respondent in Na.Ka.No.363.கா.துக/திலி/ஹரகம்/2019 dated 08.05.2019 and quash the same as illegal, consequently and further direct the respondent to grant permission as well as adequate police protection to conduct Rekla Race from Seevalaperi Bus stand to Fathima Mosque, Seevalaperi Village, Palaymakottai Taluk, Tirunelveli District on 05.06.2019 from 6.00 A.M onwards during the temple festival of Arulmighu Uchinin Mahali Amman Temple, Seevalaperi Village, Palayamkottai Taluk, Tirunelveli District.

For Petitioner : Mr.D.Venkatesh

For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate

ORDER

This writ petition has been filed to direct the respondents to give adequate police protection to the petitioner to conduct Reckla Race from Seevalaperi Bus stand to Fathima Mosque, Seevalaperi Village, Palaymakottai Taluk, Tirunelveli District on 05.06.2019 from 6.00 A.M onwards during the temple festival of Arulmighu Uchinin Mahali Amman Temple, Seevalaperi Village, Palayamkottai Taluk, Tirunelveli District.

2. Heard the learned Counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

3. The petitioner has made a representation dated 07.05.2019 to the respondents, seeking permission to conduct Reckla Race and since no order has been passed, the petitioner has filed this Writ Petition.



4. The learned Government Advocate, 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 petitioner is directed to give a written undertaking to the respondent police that the petitioner will cooperate with the respondent police and the respondent police is directed to consider the representation of the petitioner, dated 07.05.2019 and give permission to the petitioner to conduct Reckla Race incorporating the following conditions:-

"(a) the participants are directed not to harass the animals.

(b) there should not be any kind of obscene dance or vulgar dialogues during the performance, by any one of the participants;

(c) double meaning songs should not be played so as to spoil the minds of students and the youth;

(d) no dance or songs, touching upon any political party or religion, community or caste be played;

(e) no flex boards in support of any political party or religious leader be erected;

(f) the function should not be affected either religious or communal harmony and shall be conducted without any discrimination based on caste;

(g) If there is any 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.

(h) the participants of the programme shall not intake any kind of in-toxic substance or liquor during the programme; and

(i) if any untoward incident takes place, the organizers of the programme be made responsible for the same."

6. The second respondent/The Inspector of Police, Gangaikondan Police Station, Tirunelveli District, is directed to take all steps to ensure that the programme is conducted in a peaceful manner by imposing suitable conditions taking into consideration the ground situation and reality. The parties shall abide by the conditions imposed.

7. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (Crl Side)

// True Copy //



To

1.The Deputy Superintendent of Police,
Tirunelveli Rural Division,
Tirunelveli District.

2.The Inspector of Police,
Gangaikondan Police Station,
Tirunelveli District.

+1 CC to M/s.D.VENKATESH, Advocate (SR-66684[F] dated 03/06/2019)

W.P. (MD) No.12279 of 2019

CS: (04/06/2019) 3P 4C