



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2019

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Writ Petition (MD) No.20830 of 2019

S.Soosai Manickam

... Petitioner

Vs

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

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

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the 2nd respondent to grant permission and police protection to conduct the cultural programme in Saint Jebamalai Madha Church Festival is scheduled to be held on 08.10.2019 from 07.00 p.m., to 10.00 p.m., in the petitioner's village (Pothamettupatti-Pananthoppu), Manapparai Taluk, Trichy District on the basis of the petitioner's representation dated 03.09.2019.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mr.R.Anandharaj, APP

O R D E R

This writ petition has been filed for issuance of a writ of Mandamus, directing the 2nd respondent to grant permission and police protection to conduct the cultural programme in Saint Jebamalai Madha Church Festival is scheduled to be held on 08.10.2019 from 07.00 p.m., to 10.00 p.m., in the petitioner's village (Pothamettupatti-Pananthoppu), Manapparai Taluk, Trichy District on the basis of the petitioner's representation dated 03.09.2019.

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

3. The learned Additional Public Prosecutor, on instructions, would submit that there is likelihood of arising law and order problem.



4. A mere apprehension cannot be a ground to reject the representation. There is absolutely no material before this Court to hold that there will be a law and order problem in the event of permission being granted. In such view of the matter, the petitioner is permitted to conduct cultural programme, however with the following conditions:-

(a) The cultural programme in connection with the event of Saint Jebamalai Madha Church Festival in the petitioner's village viz., (Pothamettupatti-Pananthoppu), Manapparai Taluk, Trichy District shall be conducted on 08.10.2019 from 07.00 p.m., to 10.00 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 so as to 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) The function shall not affect either religious or communal harmony and shall be conducted without any discrimination based on caste.

(g) 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

(h) Similarly, the police is directed to stop the dance programme, if it is played beyond the permitted time limit.

(i) The respondents are directed to issue necessary permission, incorporating the above conditions.

5. With the above direction, this writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

Sub Assistant Registrar (CS)

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To

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

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

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.P.GANAPATHI SUBRAMANIAN, Advocate (SR-89566[F] dated
26/09/2019)

W.P (MD) No.20830 of 2019
26.09.2019

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