

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 20.04.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.11282 of 2015

and M.P.No.1 of 2015

L.Balasundaram

.. Petitioner

Versus

1. State of Tamilnadu
rep. by Secretary Home Department Chennai-9
- 2 The Commisioner of police
Greater Chennai City Vepery Chennai-8
- 3 The Inspector of Police
(Law & Order) T-10 Thirumullaivoyal P.S.
Thirumullaivoyal Chennai-62. .. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, forbearing the 3rd respondent herein from granting permission to conduct the political meeting or any kind of meeting on the frontage of the land lying between the built up area and Road margin at premises No.69 M.T.H.Road Thirumullaivoyal, Chennai-62 belonging to the petitioner and to consider the written representation dated 18.2.2015 sent by the petitioner to the 3rd respondent.

For Petitioner : Mr.J.R.K.Bhavanantham

For Respondent : Mr.R.Vijayakumar

Additional Government Pleader.

O R D E R

By consent, the main writ petition is taken up for final disposal.

2. The petitioner has submitted a representation dated 18.02.2015 to the 3rd respondent stating among other things that he is the owner of the property bearing Door No.69, Survey No.582/1, Joint Patta No.2596, the Sub-Division Survey No.582/1B, as per Avadi Town Survey Field Register Ward - D, Block No.82, Town Survey No.16/2 and also land measuring to an extent of 3600 sq.feet, in the same place and he has also put up a construction after obtaining permission from CMDA vide proceedings dated 04.07.1981 and he is using the vacant land in front of his property for the purpose of parking his vehicle and without getting his permission, the 2nd respondent is permitting the political parties and other

organisations to hold meetings and in this regard, he submitted the above said representation and though it was acknowledged on 19.02.2015, the 2nd respondents continues to permit the political parties and other parties to conduct a public meeting right in front of his own land and prays for appropriate orders.

3.Per contra, Mr.R.Vijayakumar, who accepts notice for the respondents would submit that the land in question belongs to Highways Department and necessary response will be given to the petitioner by the respondents.

4. Though, the petitioner has sought for a larger relief, this Court in the facts and circumstances of the case, is of the view that it would be suffice to direct the 2nd respondent to consider and dispose of the petitioner's representation dated 18.02.2015, within a stipulated time frame after providing an opportunity of hearing to the petitioner.

5. In the result, this Court, without going into the merits of the petitioner's representation, directs the 2nd respondent to consider the petitioner's representation dated 18.02.2015, and pass orders on merits and in accordance with law, after providing an opportunity of hearing to the petitioner, as expeditiously as possible and not later than two weeks from the date of receipt of a copy of this order and inform the decision taken to the petitioner.

6. The writ petition is disposed of, accordingly. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

1. The Secretary,
State of Tamilnadu
Home Department Chennai-9
- 2 The Commisioner of police
Greater Chennai City Vepery Chennai-8
- 3 The Inspector of Police
(Law & Order) T-10 Thirumullaivoyal P.S.
Thirumullaivoyal Chennai-62.

+1 cc to Government Pleader,SR.21494

+1 cc to Mr.J.R.K.Bhavanantham, Advocate,sR.21314.

km(co)