

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 21.04.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.11611 of 2015
and M.P.No.1 of 2015

1. L.Geetha
2. Dr.L.Yashodha

.. Petitioners

Versus

1.State of Tamil Nadu,
rep. by Secretary,
Home Department,
Fort St. George, Chennai - 9.

2. The Commissioner of Police,
Greater Chennai,
Vepery, Chennai - 8.

3. The Inspector of Police (Law & Order),
T-10, Thirumullaivoyal Police Station,
Thirumullaivoyal,
Chennai - 600 062.

.. 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, MTH Road, Thirumullaivoyal, Chennai - 62 belonging to the petitioner, and to consider the written representation dated 18.02.2015 sent by the petitioners to the 3rd respondent.

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

For Respondents : Mr.V.Subbiah (for R1 to R3)
Special Government Pleader

O R D E R

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

2. The petitioners claim that their father is the owner of land comprised in Punja Survey No.582/1, admeasuring to an extent of 3600 sq.feet and constructed a building comprising of Ground Floor, which consists of three shops and a residential portion in

the first floor bearing Municipal Door No.69, MTH Road, Thirumullaivoyal, Chennai - 62 and he left 25 feet wide frontage in between the plinth area of the building and the road margin and reserved it for parking and it neither belonged to Government nor Municipality and the petitioners are also paying the property tax for the said property to the Avadi Municipality.

3. It is further stated by the petitioners that their mother also owned land to an extent of 3600 sq.ft in the same place and she has put up five shops in the ground floor and five shops in the first floor and her mother left 25 feet frontage in between the road margin and plinth area of the building and she is also paying property tax to the Avadi Municipality.

4. The grievance expressed by the petitioners is that the 3rd respondent without taking note of the fact that the above said frontage is owned and possessed by the father and mother of the petitioners, is granting permission/licence to the political parties to erect banners and conduct political meetings and in this regard, they submitted a detailed representation dated 18.02.2015 to the 3rd respondent and though, it was received by him on 18.02.2015 itself, the petitioners are not favoured with any response and the 3rd respondent continues to grant licence / permissions to hold political meetings and also erect banners, therefore, they came forward to file this writ petition.

5. Heard the submissions of Mr.J.R.K.Bhavanantham, learned counsel appearing for the petitioners and Mr.V.Subbiah, learned Government Advocate, who accepts notice for the respondents.

6. This Court, taking into consideration the limited scope of the prayer sought for by the petitioners and without going into the merits of the representation, directs the 3rd respondent to consider the representation dated 18.02.2015, submitted by the petitioners, on merits and in accordance with law and pass orders, as expeditiously as possible and not later than six weeks from the date of receipt of a copy of this order and till such time, shall not grant permission to hold political meetings, erect digital banners and other activities interfering with the business activities of the petitioners.

7. 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 Tamil Nadu,
Home Department,
Fort St. George, Chennai - 9.

2. The Commissioner of Police,
Greater Chennai,
Veperiy, Chennai - 8.

3. The Inspector of Police (Law & Order),
T-10, Thirumullaivoyal Police Station,
Thirumullaivoyal,
Chennai - 600 062.

+ 1 cc to Mr.J.R.K.Bhavanantham, Advocate SR.21707

+ 1 cc Government Pleader Sr.21785

GP(CO)
EU 20 .05.2015

W.P.No.11611 of 2015



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