

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 12.06.2015

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THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.16772 of 2015

and

M.P.No.1 of 2015

C.Kumaran

... Petitioner

Versus

1.The Inspector of Police,
E-2, Royapettah Police Station,
Chennai - 600 014.

2.The Assistant Commissioner of Police,
Royapettah Police Station,
Chennai - 600 014.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the respondents to permit the petitioner to hold Public Meeting (Mupperum Vizha) on 15.06.2015 at V.M.Street, Lloyds Road Lane, Royapettah, Chennai - 14.

For Petitioner : Mr.S.Doraisamy

For Respondents : Mr.V.Subbiah
Special Government Pleader

सत्यमेव जयते
O R D E R

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

2. The petitioner claims that he is the Chennai District Secretary of 'Thanthai Periyar Dravidar Kaazhagam', and the said organisation is espousing the will of Thanthai Periyar, Dr.Ambedkar and Bharathidasan and the reformation made by them and their ideologies.

3. The petitioner would further state that the above said persons projected the principles of rationalism, self respect, women's right and eradication of caste and their work has greatly revolutionized Tamil Society and significantly removed caste-based society. The petitioner submitted an application dated 01.06.2015 to the 1st respondent praying for permission to conduct a public meeting on 15.06.2015 at 6.00 pm and give necessary police protection to conduct "Mupperum Vizha", in connection with May Day and birth dates of Pavendar Bharathi Dasan and Dr.Ambedker. The said request was rejected vide order dated 11.06.2015, on the ground that the place on which the petitioner has chosen to organise a public meeting will create traffic congestion to the public and it would cause inconvenience to them and it has also been indicated that the petitioner can chose some other place to conduct such a meeting.

4. Mr.S.Doraisamy, learned counsel appearing for the petitioner would submit that the public meeting is conducted to propagate the principles of the above said great men and in the event of the permission being granted, there will not be any law and order problem and no hindrance to the travelling public and nothing will be propagated or said which would instigate violence and further that the sentiments and feelings of people belonging to a particular religion or community, will not be wounded and the meeting will be conducted in a peaceful and in an orderly manner and prays for appropriate orders.

5. Per contra, Mr.V.Subbiah, learned Special Government Pleader, who accepts notice for the respondents, on instructions from the 1st respondent, who is present today would submit that the application submitted by the petitioner was rejected by citing hindrance to traffic movement and further that a decision has also been taken that in future permission will not be granted to conduct meeting near the V.M.Street North Junction, Lloyds Road Lane, Royapettah, Chennai - 14.

6. In response to the said submission, learned counsel appearing for the petitioner has filed a memo today indicating five places in which the petitioner may be permitted to conduct the public meeting.

7. The Court heard the submissions of the learned Special Government pleader, who on instructions would submit that the permission may be accorded to the petitioner to conduct a public meeting near V.M.Street - Krishnapuram Junction, behind Ajantha Hotel), Royapettah, Chennai - 14 and the 1st respondent being the guardian of law and order in the concerned locality may be permitted to impose any reasonable conditions for orderly conduct of the said public meeting.

8. In the result, the writ petition is disposed of and the 1st respondent is directed to grant permission to the petitioner to conduct a public meeting near V.M.Street - Krishnapuram Junction, behind Ajantha Hotel), Royapettah, Chennai - 14 and the organisers of the said public meeting shall ensure that there will not be any law and order problem, hindrance to traffic movement and the speeches made during the public meeting shall not instigate violence and also affect the sentiments and feelings of people belonging to a particular religion, caste or community. It is open to the 1st respondent to impose any other reasonable conditions for orderly conduct of the said meeting on 15.06.2015 at 6.00 pm. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
E-2, Royapettah Police Station,
Chennai - 600 014.
2. The Assistant Commissioner of Police,
Royapettah Police Station,
Chennai - 600 014.

+1cc to Mr.S.Doraisamy, Advocate, S.R.No.28897

सत्यमेव जयते

W.P.No.16772 of 2015

KSJ(CO)
CA(15/06/2015)

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