

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.19468 of 2015

and

M.P.No.1 of 2015

Dinesh

...Petitioner

Vs.

1. The Commissioner of Police,
Coimbatore City,
Coimbatore District.
2. The Assistant Commissioner of Police,
(In-charge Law and Order),
Coimbatore City,
Coimbatore.
3. The Inspector of Police,
B2 Police Station,
Coimbatore District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records Na.Ka.No.1243/A/Ka.Thu./Cha.O/Co.Ma/2015 dated 25.6.2015 passed by the second respondent herein and quash the same as illegal and direct the respondents to grant permission to the petitioner to hold agitation on 10.7.2015 or thereafter near Ukkadam Bus Stand, Coimbatore, Coimbatore District to secure the ends of justice.

For Petitioner : Mr.R.Sankarasubbu

For Respondents : Mr.V.Subbiah,
Special Government Pleader
for R1 and R3

O R D E R

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

2. The petitioner claims to be the organizer of 'Podhu Nala Manavar Elurchi Iyakkam', Coimbatore District, which is an unregistered body and according to him, it espouses the welfare of the student community in general and intended to conduct street corner meeting with regard to cases registered against the members of the said association to be held on 29.6.2015 between 4.00 p.m and 6.00 p.m. near Ukkadam Bus Stand, Coimbatore and submitted a representation dated 21.05.2015 to the second respondent and it was rejected on 25.06.2015 by the Deputy Commissioner of Police (In-charge of Law and Order) stating that it may cause hindrance to the movement of traffic and inconvenience to the public. The petitioner, challenging the legality of the said order, has filed this writ petition.

3. Mr.R.Sankarasubbu, learned counsel appearing for the petitioner would submit that projecting/espousing a reasonable cause through public meetings/demonstrations is a right enshrined under the Constitution of India and prays for interference.

4. Per contra, Mr.V.Subbiah, learned Special Government Pleader, on instructions, would submit that in Coimbatore city, three places are earmarked for holding demonstration, namely (1) Selva Vinayagar Temple ground, Gandhi Maa Nagar, (2) Sivanandha Colony and (3) Sundarapuram, which is nearly to the power house and the petitioner may be at liberty to choose any one of the said three places.

5. In response to the said submission, the learned counsel appearing for the petitioner would submit that the petitioner may be permitted to hold demonstration at Sundarapuram, which is very near to the power house, on 11.07.2015.

6. In the light of the above, this writ petition is disposed of with a direction to the petitioner to hold demonstration at Sundarapuram, which is very near to the power house, on 11.07.2015 between 4.00 p.m. and 5.00 p.m. It is made clear that the petitioner, under the guise of conducting demonstration, shall not wound the feelings/sentiments of any particular caste or religion and shall not create any law and order problem. It is made clear that in the event of any law and order problem, the respondents are at liberty to deal with the same in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

jvm

To

1. The Commissioner of Police,
Coimbatore City,
Coimbatore District.
2. The Assistant Commissioner of Police,
(In-charge Law and Order),
Coimbatore City,
Coimbatore.
3. The Inspector of Police,
B2 Police Station,
Coimbatore District.

1 CC to Mr.R.Sankarasubbu, Advocate SR.No. 34992

1 CC to the Government Pleader, SR.No. 34701

W.P.No.19468 of 2015

BR (CO)
PSI (09.07.2015)



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