

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.20190 of 2015

And

M.P.No.1 of 2015

T.Velmurugan

... Petitioner

Vs.

1 The Commissioner of Police
Vepery Chennai-7.

2 The Deputy Commissioner of
Police T.Nagar Range T.Nagar Chennai-17

3 The Inspector of Police
R.10 MGR Nagar Police Station MGR Nagar
Chennai-78.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records made in Impugned Order Na.Ka. No.10/R10/MGR.PS/ 2015 dated 2.7.2015 on the file of the third respondent herein and quash the same as illegal and direct the respondents to permit the petitioner to Hold Street Corner meeting on 19.7.2015 or thereafter near MGR Nagar Market Chennai-600 078 to secure the ends of justice.

For Petitioner : Mr.R.Sankarasubbu

For Respondents : Mr.M.Digvijaya Pandian
Additional Government Pleader

O R D E R

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

2.The petitioner claims that he is an active member of "Puratchikara Makkal Pasarai" and the organisation is fighting against the exploitation of mankind. The organisation in which the petitioner claims to be a member, decided to organise a street corner meeting in connection with the 22nd death anniversary of Martyr Varunshanker (20th June). The petitioner in this connection, has submitted an application dated 02.07.2015 to the second respondent

praying for necessary permission to conduct the street corner meeting at M.G.R.Nagar Market, Near Pammal Nallathambi Street, Chennai - 78 and it was rejected by the third respondent stating that the subject matter of topic may create communal dis-harmony and will lead to law and order problem. Therefore, rejected the said request vide memo dated 02.07.2015. The petitioner challenging the legality of the said order, filed appeal petition before the first respondent on 03.07.2015 and according to the petitioner though it was received and acknowledged, no orders have been passed and therefore, came forward to file this writ petition.

3.Mr.R.Sankarasubbu, learned counsel appearing for the petitioner would contend that right to espouse the cause in the form of organisational meeting is a fundamental right enshrined in the Constitution of India and it is sought to be set at not by the third respondent by passing the impugned order and prays for interference.

4.Per contra, Mr.M.Digvijaya Pandian, learned Additional Government Pleader who accepts notice on behalf of the respondents would submit that admittedly challenging the order of the third respondent, the petitioner has filed an appeal petition to the first respondent on 03.07.2015 and necessary direction may be given to the first respondent to pass orders on the appeal petition filed within a stipulated time.

5.This Court heard the rival submissions and also perused the materials available on record. Though the petitioner prays for a larger relief, in the facts and circumstances, directs the first respondent to consider and dispose of the petitioner's appeal petition dated 03.07.2015 in accordance with law and pass orders within a period of three days from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

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

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Sd/-

Assistant Registrar (CS-II)

True copy

Sub Assistant Registrar.

To

- 1 The Commissioner of Police
Vepery Chennai-7.
- 2 The Deputy Commissioner of
Police T.Nagar Range T.Nagar Chennai-17

3 The Inspector of Police
R.10 MGR Nagar Police Station MGR Nagar
Chennai-78.

+ 1 cc to Mr.R.Sankarasubbu, Advocate SR 34141

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prk9/7

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