

In the High Court of Judicature at Madras

Dated: 30.10.2015

Coram

The Honourable Mr.JUSTICE M.M.SUNDRESH

Writ Petition No.34644 of 2015

& M.P.Nos.1 and 2 of 2015

P.Palani @ Dhileepan

.... Petitioner

Vs.

1. The State rep.by
The Superintendent of Police,
Vellore, Vellore District.
 2. The State rep.by
The Deputy Superintendent of Police,
Vellore, Vellore District
 3. The State rep.by
The Inspector of Police,
Sathuvacherry Police Station,
Vellore District.
- Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of Writ of Certiorarified Mandamus directing calling for records sequel to the impugned order dated 21.10.2015, which is passed by the 2nd respondent in Na.Ka.No.03/Ka.Thu.Ka-Ve/2015 and to quash the same and consequently direct the respondents to permission to conduct demonstration on 30.10.2015 or subsequent date i.e., 06.11.2015 at the venue in front of Collector's Office, Vellore and pass such other further orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.R.Thirumoorthy

For Respondents : Mr.A.Kumar, Spl.G.P.

O R D E R

The permission sought for by the petitioner to show the protest condemning the honour killing and ban to sell the beef was rejected by the respondents on the ground that law and order problem, existence of Section 30(2) of Police Act, 1861 and

traffic congestion. Challenging the same, the present writ petition has been filed.

2. The reasons stated in the impugned order cannot be sufficient grounds to reject permission sought for by the petitioner. What the petitioner wants is to show protest by democratic means. The respondents can always regulate the conduct of meeting by imposing sufficient conditions. There are no material to substantiate the law and order problem, so is the case of traffic congestion. Considering the same, the order impugned is set aside. However, the place of protest, being the discretion of the respondents, the respondents are directed to grant permission to the petitioner to conduct demonstration at the place opposite to Head Post Office, Vellore. It is made clear that the petitioner shall not make any derogatory statements in the demonstration hurting or affecting the sentiments of any faith including Hinduism.

The writ petition is ordered accordingly. No costs. Consequently, the connected miscellaneous petitions are closed.

-S/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The Superintendent of Police,
Vellore, Vellore District.
2. The Deputy Superintendent of Police,
Vellore, Vellore District.
3. The Inspector of Police,
Sathuvacherry Police Station,
Vellore District.

+1 cc to Mr.R.Thirumoorthy Advocate sr.59880
+1 cc to Government Pleader vide sr.59593

W.P.No.34644 of 2015

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