

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.11.2015

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P.No.36964 of 2015
& MP.NO.1 of 2015

Mr.P. Jawagar.

...Petitioner

Vs.

1. The Inspector of Police,
M5 Ennore Police Station (Law and Order),
Ennore, Chennai - 600057.

2. The District Superintendent of Police,
DSP Office, Ennore,
Chennai - 600057.

...Respondents

PRAYER : This petition is filed under Article 226 of the Constitution of India in the nature of a Writ of Certiorarified Mandamus to call for the records of impugned order dated 27.09.2015 on the file of the 1st respondent herein and quash the same as illegal and consequently direct the 1st respondent to grant permission to hold the Public Meeting at Kathivakkam Bazar (Opposite to Nagariyum), Ennore on any other date within November, 2015, on any other future date.

For Petitioner : Mr.R. Sankara Subbu,

For Respondents: Mr.P.Sanjay Gandhi,
Addl. Government Pleader.

ORDER

The petitioner made a representation on 23.09.2015 to the 1st respondent seeking for permission to conduct a public meeting to condemn the alleged atrocities on the downtrodden people, scheduled to be held on 28.09.2015, which date has expired now. By an order dated 27.09.2015, the said request was rejected by the 1st respondent on two ground, namely, there will be law and order problem and there was an ongoing work by the Metro Water Department and Public Works Department. Challenging the said order of the 1st respondent dated 27.09.2015, the present writ petition has been filed by the petitioner before this Court.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3. As rightly submitted by the counsel for the petitioner, the meeting is proposed to be held only in the evening for about few hours. The inconvenience to the Public Works Department and Metro Water Department would not be continuing till now as more than three months have elapsed since the date of representation made by the petitioner. There is no material to substantiate the alleged law and order problem, even otherwise, the same can be regulated by the respondents.

4. Considering the above facts, the impugned order of the 1st respondent dated 27.09.2015 is hereby set aside and permission is granted to the petitioner to conduct the meeting on 14.12.2015. However, it is open for the respondents to fix the time and place of the said meeting with a view to regulate the law and order problem and to conduct the meeting in a manner known to law.

5. Accordingly, the writ petition is allowed. Consequently, connected miscellaneous petition is closed. No costs.
rms

Sd/-
Assistant Registrar (CS-V))

/True Copy/

Sub-Assistant Registrar

To

1. The Inspector of Police,
M-5, Ennore Police Station,
Ennore, Chennai - 600057.
2. The District Superintendent of Police,
DSP Office, Ennore,
Chennai - 600057.

+1 C.C.to the Government Pleader, High Court, Madras in
SR.NO.64522

+1cc to Mr.R.Sankarasubbu, Advocate sr.64133[21/12/2015]

W.P.No. 36964 of 2015

PPA(CO)
sd : 09/12/2015