

In the High Court of Judicature at Madras

Dated: 26.11.2015

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The Honourable Mr.JUSTICE M.M.SUNDRESH

Writ Petition Nos.37110 & 37834 of 2015

& M.P.No .1 of 2015

P.Bharathi

.. Petitioner in
both W.Ps.

Vs

1. The Deputy Superintendent of Police,
Sethiathope, Cuddalore District.

2. The Inspector of Police,
Sethiathope, Cuddalore District.

.. Respondents in
both W.Ps.

PRAYER: PETITION in W.P.No.37110 of 2015 is filed under Article 226 of The Constitution of India praying for the issuance of Writ of Mandamus to direct the respondents 1 and 2 to consider the representation dated 20.10.2015 made by the petitioner for conducting public meeting on 27.11.2015 at Kootu Road, Sethiathope, Cuddalore District.

PRAYER: PETITION in W.P.No.37834 of 2015 is filed under Article 226 of The Constitution of India praying for the issuance of Writ of Certiorarified Mandamus to call for the records relating to the order in Na.Ka.No.179/SDOJ/MOOGAM/2015 dated 24.11.2015 passed by the first respondent and quash the same as illegal, arbitrary, unconstitutional and consequently, direct the respondents 1 and 2 to permit the petitioner for conducting public meeting on 27.11.2015 at Kootu Road, Sethiathope, Cuddalore District.

For Petitioner : Mr.T.Sundaravadanam
in both W.Ps.

For Respondents : Mr.R.A.S.Senthilvel,
in both W.Ps. Additional Government Pleader

COMMON ORDER

The petitioner made a representation on 20.10.2015 seeking permission to conduct a meeting on 27.11.2015 evening at 15.00

hours. The said request was rejected on two grounds that there is a likelihood of law and order problem since the LTTE has been banned by the Government of India and Section 30(2) of the Tamil Nadu Police Act is in force.

2. Considering the issue with respect to the very same parties for the proposed meeting, this Court, by an order dated 26.11.2015, in W.P.No.37512 of 2015, has allowed the writ petition after considering the earlier order which in turn made reliance upon the order passed by the Apex Court. In so far as the second contention is concerned, Section 30(2) of the Tamil Nadu Police Act is only regulatory and by the said provision, there cannot be blanket prohibition on any meeting. Where the petitioner proposed to have is in a private land. Accordingly, the order impugned dated 24.11.2015 passed by the first respondent is set aside and W.P.No.37834 of 2015 is allowed. Consequently, the respondents are directed to give appropriate permission to the petitioner to conduct the meeting, subject to the condition that can be imposed. In view of the order passed in W.P.No.37834 of 2015, W.P.No.37110 of 2015 is closed. No costs. Consequently, connected miscellaneous petition is also closed.

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-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

1. The Deputy Superintendent of Police,
Sethiathope, Cuddalore District.
2. The Inspector of Police,
Sethiathope, Cuddalore District.

+ 1 cc to Mr.T.Sundaravadanam, Advocate SR 64315

msm(co)
prk30/11

W.P.Nos.37110 & 37834 of 2015