

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2015

CORAM

THE HON'ble Mr.JUSTICE M. DURAISWAMY

W.P.No.5136 of 2015
and M.P.No.1 of 2015

P.V. Periyar Selvam

..... Petitioner

vs

1. The Inspector of Police,
Law and Order,
Sirkali

2. The Sub Inspector of Police,
Law and Order,
Sirkali

..... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Certiorarified Mandamus to call for the records relating to the order of Rejection passed in Na.Ka.No.18/D1 PS/2015 dated 13.2.2015 on the file of the second respondent, quash the same and also direct the respondents to permit the petitioner to hold Valentine's Day Public Meeting on 28.2.2015.

For Petitioner : Mr.S. Doraisamy

For respondents : Mr.V.Jayaprakash Narayanan
AGP

ORDER

The petitioner has filed the above writ petition to issue a Writ of Certiorarified Mandamus to call for the records relating to the order of Rejection passed in Na.Ka.No.18/D1 PS/2015 dated 13.2.2015 on the file of the second respondent, quash the same and also direct the respondents to permit the petitioner to hold Valentine's Day Public Meeting on 28.2.2015.

2. Mr.V. Jayaprakash Narayanan, learned Additional Government Pleader takes notice for the respondents and by consent of both sides, the main writ petition has been taken up for final hearing.

3. According to the petitioner, he made a representation before the second respondent for conducting a Meeting on 14.2.2015 at 6.00 p.m near Old Bus Stand, Sirkali. By Order dated 13.2.2015, the second

respondent rejected the application filed by the petitioner stating that the meeting may lead to law and order problem in the locality.

4. Admittedly, the application was given to the second respondent for conducting the Meeting on 14.2.2015. Thereafter, the petitioner has not given any application before the second respondent for conducting the Meeting.

5. The learned Additional Government Pleader submitted that the petitioner may be directed to give a fresh application and the respondent may be given liberty to proceed the application on merits and in accordance with law taking into consideration the ground reality in the area and also the law and order situation.

6. Having regard to the submissions made by the learned counsel on either side, I give liberty to the petitioner to give a fresh application to the second respondent and on such application being given to the second respondent, the second respondent is at liberty to take decision on the application, to be filed by the petitioner, on merits and in accordance with law, taking into consideration the ground reality in the area and also the other legal aspects.

7. With the above observation, the writ petition is disposed of. No costs. Consequently, connected MP is closed.

sr

-s/d-
Assistant Registrar(CS-III)
Dt: 27/2/2015

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
Law and Order,
Sirkali
2. The Sub Inspector of Police,
Law and Order,
Sirkali

+ 1 cc to Government Pleader High Court, Madras SR 10864

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