



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.06.2015

CORAM:

THE HONOURABLE Mr.JUSTICE M.M.SUNDRESH

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Writ Petition(MD)No.10787 of 2015

L.Maran

... Petitioner

Vs

1.The Superintendent of Police,
Sivagangai District.

2.The Inspector of Police,
Kundrakudi Police Station,
Karaikudi Taluk,
Sivagangai District.

... Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records of the second respondent by his proceedings in Na.Ka.No.09/Vatta Aluvalagam-LO/SVG/2015, dated 28.06.2015, quash the same and accord permission to conduct the Public Meeting on 30.06.2015 at Koviloor Village, Karaikudi Taluk, Sivagangai District.

For Petitioner : Mr.R.Manoharan

For Respondents : Mr.M.Murugan,
Government Advocate

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Certiorarified Mandamus, calling for the records of the second respondent in his proceedings Na.Ka.No.09/Vatta Aluvalagam-LO/SVG/2015, dated 28.06.2015, quash the same and accord permission to conduct the Public Meeting on 30.06.2015 at Koviloor Village, Karaikudi Taluk, Sivagangai District.

2. The petitioner herein made a request to conduct public meeting at Koviloor to sensitize the people about the environmental hazard caused by the Tamil Nadu Chemical Private Limited. The request made by the petitioner was rejected on the ground that it was lead to law and order problem between the employees of the Private Limited and the protestors. Hence, the petitioner has come forward with this petition for the above



3. The learned counsel for the petitioner submitted that for the past few days permissions have been granted to others to raise their protest. The proposed place Koviloor is situated 2 kms away from the Private Concern.

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4. The learned Government Advocate(Crl. Side) on instructions submitted that there are prior cases registered with respect to the running of the Private Limited. A Committee was also formed as per the direction of the District Collector to look into the issues raised against the Private Limited. Under these circumstances, permission sought for by the petitioner was rightly rejected. He further submitted that the Tamil Nadu Private Limited was re-opened based upon the recommendation of the Committee.

5. What the petitioner wants is to ventilate the grievances regarding running of the Private Concern. In the democratic set up freedom of speech envisages such right. It is not as if there was no similar meeting, held earlier. Even few days prior, similar permissions have been granted. The place of proposed meeting to be held is also situated 2 kms away from the Private Concern. Therefore, apprehension regarding a possible conflict between the protestors and the employees of the Private Limited, is nothing but illusory. Merely because the Committee has given its green signal, permission sought for by the petitioner conducting a meeting, cannot be denied. It is also to be noted that based upon the earlier protest only, the Private Limited was closed. Considering the above, this Court is inclined to set aside the proceedings of the second respondent.

6. In the result, this Writ Petition is allowed and the proceedings of the second respondent in Na.Ka.No.09/Vatta Aluvalagam-LO/SVG/2015, dated 28.06.2015, is set aside. A direction is issued to the second respondent to give adequate permission to the petitioner to conduct public meeting on 30.06.2015 at Koviloor Village, Karaikudi Taluk, Sivagangai District. It is made clear that it is well open to the second respondent to impose appropriate conditions keeping in mind the possible law and order problem. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Crl.Side)

/True copy/

Sub Assistant Registrar

pm

To

<https://hcservices.hccourtsonline.in/>
The Superintendent of Police,
Sivagangai District.



2.The Inspector of Police,
Kundrakudi Police Station,
Karaikudi Taluk,
Sivagangai District.

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+1cc to Mr.R.Manoharan, Advocate in Sr No.34433

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