



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :06.08.2015
CORAM
THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P (MD) .No.14069 of 2015
and
M.P (MD) Nos.1 & 2 of 2015

Periyar E.V.R College,
(Alumni) Association (PERIYAL)
Registration No.121/2003,
Rep. By its General Secretary,
R.Senthil Rajan

...Petitioner

Vs.

- 1.The Director of Collegiate Education,
College Road, Nungambakkam,
Chennai.
- 2.The Regional Director,
Collegiate Education,
Near - Jamal Mohammed College,
Trichirapalli.
- 3.The Principal,
Periyar E.V.R College (Autonomous)
Trichy.

... Respondents

This Writ Petition has been filed praying for a Writ of Certiorarified Mandamus calling for the records relating to the impugned order of the third respondent, dated 05.08.2015 and quash the same and consequently directing the respondents 1 to 3 herein to permit the petitioner to conduct the events commencing from 06.08.2015 to 08.08.2015 at Periyar E.V.R College, Trichy in commemoration of the golden jubilee of the college.

For petitioner	: Mr.J.Anandkumar
For Respondents	: Mr.V.R.Shanmuganathan, Special Government Pleader

ORDER

This Writ Petition has been filed praying for a Writ of Certiorarified Mandamus calling for the records relating to the impugned order of the third respondent, dated 05.08.2015 and quash the same and consequently directing the respondents 1 to 3 herein to permit the petitioner to conduct the events commencing from 06.08.2015 to 08.08.2015 at Periyar E.V.R College, Trichy in commemoration of the golden jubilee celebration of the college.



2. Mr.V.R.Shanmuganathan, learned Special Government Pleader takes notice for the respondents.

3. By consent, this Writ Petition itself is taken up final disposal.

4. In the affidavit filed in support of this Writ Petition it has been averred that the petitioner Association is a registered Association under the Societies Registration Act as per Registration No.121/2003. The said Association was formed for the welfare of the old students of Periyar E.V.R College and the Association conducted so many events and the college is now celebrating golden jubilee celebrations. As a mark of conclusion of golden jubilee celebrations, it has been decided by the petitioner Association to conduct three days programme commencing from 06.08.2015 to 08.08.2015. Various programmes were scheduled for three days including speeches by leaders, various parties and by old students, who are now political and social personalities. With an intention to conduct the above said function in a grand manner, the petitioner Association made a detailed request on 03.08.2015 requesting permission from the third respondent to conduct three days programme. Now after making all the arrangements the impugned order dated 05.08.2015 was passed by the third respondent refusing to grant permission to conduct the programme. The impugned order of the third respondent is illegal and unsustainable in law and hence, the present Writ Petition is filed for the above stated relief.

5. When the matter is taken up for consideration, the learned counsel for the petitioner submitted that originally the third respondent has granted oral permission and based on that, the petitioner Association has made all arrangements for three days programme commencing from 06.08.2015 to 08.08.2015. Subsequently, permission was refused. Hence, the present Writ Petition has been filed.

6. The learned Special Government Pleader appearing for the respondents submitted that the impugned order directs the petitioner only to approach the Government to get permission. The said impugned order is not absolute rejection. But, the petitioner without approaching the Government, has filed the present Writ Petition. Further, it is prerogative of the respondent either to grant or not to grant permission to conduct programme.

7. But irrespective of the submissions made on either side, I am of the opinion that since already arrangements have been made, a direction could be given to the third respondent to grant permission to conduct programmes by imposing certain conditions.

8. In the result, the impugned order of the third respondent, dated 05.08.201, is hereby set aside and the Writ Petition is allowed. **NO** Costs. Consequently, connected miscellaneous petitions are closed.



9. Further, the third respondent is directed to grant permission to the petitioner Association commencing from 06.08.2015 to 08.08.2015 with the following conditions:

(i) There should not be any religious or communal or political activity either in the form of speech or posters or banners or flex boards;

(ii) There should not be any disturbance to the students;

(iii) General Public and outsiders should not be allowed. Only members of Alumni Association and dignitaries, should participate;

(iv) There should not be any consumption of alcohol or other related activities;

(v) The permission granted should not be treated as a precedent; and

(vi) The programme must be completed within the time stipulated.

Sd/-

Assistant Registrar (AS)

/True copy/

Sub Assistant Registrar

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To

1. The Director of Collegiate Education,
College Road, Nungambakkam,
Chennai.

2. The Regional Director,
Collegiate Education,
Near - Jamal Mohammed College,
Trichirapalli.

3. The Principal,
Periyar E.V.R College (Autonomous)
Trichy.

+1cc to Mr. J. Annadkumar, Advocate Sr NO. 44536

+1cc to Special Government Pleader Sr NO. 44557

W.P (MD) .No. 14069 of 2015
06.08.2015

rg.06/08/2015

3p/6c.