

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.27568 of 2015

ORDER:

This writ petition is filed under Article 226 of the Constitution of India, for the following relief:

“to issue Writ of Mandamus, order or orders, direction or directions, declaring the action of the 2nd Respondent in keeping the application dt.17-08-2015 of the Petitioner seeking police permission to conduct public meeting on 29-08-2015, between 7PM to 11PM, Khilwath GHMC Ground, Khilwat, Hyderabad as illegal, arbitrary and unconstitutional and consequently direct the 2nd Respondent to grant police permission to the Petitioner to conduct public meeting on 29-08-2015, between 7PM to 11PM, Khilwath GHMC Ground, Khilwat, Hyderabad..”

2. Heard Sri Arun Kumar Doddla, learned counsel for the petitioner and the learned Government Pleader for Home (Telangana).

3. According to the petitioner herein, it is a registered body and is established for the purpose of enlightening the sermons of knowledge about Islam and also for the purpose of enlightening the Muslim Community about Islam. The petitioner herein claims to have made an application on 17.08.2015 to the Deputy Commissioner of Police, South Zone, Hyderabad/second respondent herein, requesting for permission to hold public meeting on 29.08.2015 between 7-00 PM and 11-00 PM at Khilwath GHMC Ground, Hyderabad, Telangana State and according to the petitioner no action has been taken on the said representation by the second respondent.

4. When the matter is called, the written instructions dated 28.08.2015 have been furnished by the learned Government Pleader for Home and the said instructions read as under:

“It is respectfully submitted that the petitioner is the General Secretary of Jamiat Ahl-E-Hadees, Hyderabad City Unit has submitted an application dated 17.08.2015 to the Dy.

Commissioner of Police, South Zone, Hyderabad for permission to conduct Public Meeting on 29.08.2015 between 7-00 PM to 11-00 PM at Khilwath, GHMC Grounds, Hyderabad.

It is submitted that the application is pending with the 2nd respondent since the applicant has not furnished the details of the speakers who will address the gathering in Public Meeting at Khilwath Grounds. There are different sects in the community and there are different groups residing in the area where the meeting is going to take place. The local people and other groups of the Islamic Community are opposing the holding of public meeting by the petitioner's organization. The police apprehend that the speakers at the public meeting may give provocative speeches which may create disturbances in the locality and it may be disturb the public peace and tranquillity. The organizers of the meeting have not furnished the list of local speakers who will address the gathering in the public meeting.

There are intelligence inputs stating that in the event of public meeting, stone pelting and other disturbances may take place. The police are strongly apprehending danger that in the event of the public meeting to be organized by the petitioner's Organization, disturbances may occur and it will cause Law & Order Problems in the said Khilwath area. The petitioner's organization has instructed that there will be huge gathering the public meeting which may be between 15,000 to 25,000. There is no parking facility at the said Khilwath Grounds. In view of the Law & Order problems and the communal harmony in the localities, the permission to hold in the public meeting is not given to the petitioner."

5. During the course of arguments, it is submitted by the learned counsel for the petitioner that earlier also such meetings were held in peaceful manner. While referring to the instructions, it is submitted by the learned counsel for the petitioner that he is ready to furnish the information as mentioned in the said instructions and necessary directions may be issued to the second respondent herein to pass appropriate orders on the application of the petitioner herein, after furnishing the said information.

6. In view of the above submission, the writ petition is disposed of,

permitting the petitioner herein to approach the second respondent herein and furnish the information as sought by the respondent police authorities immediately. If any such information is furnished by the petitioner herein, the same may be considered and appropriate orders be passed, in accordance with law, by tomorrow ie., 29.08.2015 before the schedule of the proposed meeting. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI, J

Date:28.08.2015

Note:

Furnish certified copy today.

Bo/grk

WRIT PETITION No.27568 of 2015

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Dated 28th August, 2015
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IN THE HIGH COURT OF JUDICATURE AT HYDERABAD FOR

**THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

THE HON'BLE SRI JUSTICE A.V.SESHA SAI
WRIT PETITION No.27568 of 2015

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Between:

Jamiat Ahl-E-Hadees,
#13-6-432/1, Sardar Bagh, Langer House,
Ring Road, Hyderabad, Telangana, represented
by its General Secretary Mr.Shafeeq Alam Khan,
s/o. Rafeeq Alam Khan, Aged 40 years,
R/o. 13-5-431/A/55, Mahboob Colony, Karwan,
Hyderabad ... Petitioner

and

The State of Telangana,
represented by its Principal Secretary,
Home Department, Secretariat,
Hyderabad and three others.
... Respondents

JUDGMENT PRONOUNCED ON: 25th August, 2015

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

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| 1. Whether Reporters of Local Newspapers
May be allowed to see the Judgment? | Yes/No |
| 2. Whether the copies of judgment may be
Marked to Law Reporters/Journals? | Yes/No |
| 3. Whether Their Lordship wish to see the
Fair copy of the judgment? | Yes/No |

