

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.05.2016

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
And
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P.No.17894 of 2016
and
W.M.P.No.15591 of 2016

Seenivasan

... Petitioner

Vs.

1. The District Election Officer/The District Collector,
Tirunelveli District.

2. The Election Officer/
The District Adi-Dravidar and Welfare Officer,
Vasudevanallur (Special) Constituency,
Tirunelveli District.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the entire records in connection with the Impugned order passed by the 1st respondent in ந.க.எண்.ஒள 3-5987-2016 Dated 08.05.2016, quash the same as illegal and consequently directing the Respondents herein to grant permission and adequate police protection for conducting Public meeting at Near Rayagiri Bus Stand, Sivagiri, Tirunelveli District on 13.05.2016.

For Petitioner : Mr.D.Anbarasu

For Respondents : Mr.Niranjan Rajagopal
M/s.G.R.Associates for R1 & R2

O R D E R
(Order of the Court was made by N.KIRUBAKARAN, J.)

By consent, the writ petition is taken up for final disposal.

2.The petitioner is the Secretary of one of the political parties and he sought permission from the first respondent and protection on 08.05.2016 for conducting a public meeting. The same was rejected by the impugned order. Therefore, the petitioner has come before this Court.

3.Heard Mr.D.Anbarasu, learned counsel appearing for the petitioner and Mr.Niranjana Rajagopal, learned counsel who takes notice on behalf of the respondents.

4.A perusal of the impugned order would show that there is already clashes between the petitioner and the political party cadre leading to registration of the F.I.R. in Crime No.215 of 2015 dated 19.07.2015, Crime No.216 of 2015 dated 19.07.2015 and again in Crime No.217 of 2015 for the offence under Sections 147, 148, 143, 341, 188 and 353 of I.P.C.

5.In view of the law and order problem created already and the filing of criminal cases against the petitioner as well as the opposite group, the first respondent rightly rejected the representation of the petitioner seeking permission to conduct public meeting.

6.When the Authorities, taking into consideration the reality, has turned down the request, this Court under Article 226 of the Constitution of India cannot act as an Appellate Authority and therefore, this writ petition fails and the same is dismissed. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

pri/tk

To

1. The District Election Officer/The District Collector, Tirunelveli District.
2. The Election Officer/The District Adi-Dravidar and Welfare Officer, Vasudevanallur (Special) Constituency, Tirunelveli District.

+1cc to Mr.D.Anbarasu, Advocate, S.R.No.28199

W.P.No.17894 of 2016 and
W.M.P.No.15591 of 2016

UG (CO)
CA(12/05/2016)