

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

W.P.No.28145 of 2016

and WMP.Nos.24278 & 24279 of 2016

Andavarselvam

Petitioner

Vs

1.The Superintendent of Police,
Cuddalore,
Cuddalore District.

2.The Deputy Superintendent of Police,
Sethiyathope,
Chidambaram Taluk,
Cuddalore District.

3.The Inspector of Police,
Sethiyathope Police Station,
Sethiyathope,
Cuddalore District.

4.The Sub Inspector of Police,
Chozhatharam Police Station,
Cuddalore District - 608 701.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records of the 4th respondent pertains to the impugned order bearing reference Nil, dated Nil and quash the same as illegal and direct the respondents to pass necessary order permitting the petitioner to conduct peaceful procession from Solatharam Bazaar Street to MRK Co-operative Sugar Mill at Sethiyathope on 18.08.2016.

For Petitioner

:Mr.P.R.Thiruneelakandan

For Respondents

:Mr.C.Emalias,

Additional Public Prosecutor

ORDER

The petitioner has filed this Writ Petition praying for issuance of a Writ of Certiorarified Mandamus, to quash the impugned order of the 4th respondent bearing reference Nil, dated Nil and to direct the respondents to pass necessary order permitting the petitioner to conduct peaceful procession from Solatharam Bazaar Street to MRK Co-operative Sugar Mill at Sethiyathope on

18.08.2016.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. It is seen that the petitioner had made a representation to the 4th respondent for conducting procession of sugarcane farmers highlighting their plight. In the request, the petitioner had stated that he wanted to go half naked. The representation given by the petitioner was rejected by the Sub Inspector of Police, Chozhatharam Police Station, Cuddalore District, challenging which the petitioner is before the court.

4. On a reading of the order passed by the Sub Inspector of Police, Chozhatharam Police Station, Cuddalore District, fourth respondent herein, this Court does not find any infirmity inasmuch as the Police cannot permit the petitioner to go in the procession half naked, as it will amount to obscene display. Hence, there is no infirmity in the order. However, if the petitioner wants to conduct peaceful procession fully clad, liberty is given to the petitioner to make a fresh representation to the authorities, and on such representation being given, the same shall be considered in the light of law and order situation prevailing therein. However, the authorities shall not permit the petitioner to go in procession half naked.

In view of the above, this Writ Petition is closed. Consequently, connected miscellaneous petitions are closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Superintendent of Police,
Cuddalore,
Cuddalore District.

2.The Deputy Superintendent of Police,
Sethiyathope,
Chidambaram Taluk,
Cuddalore District.

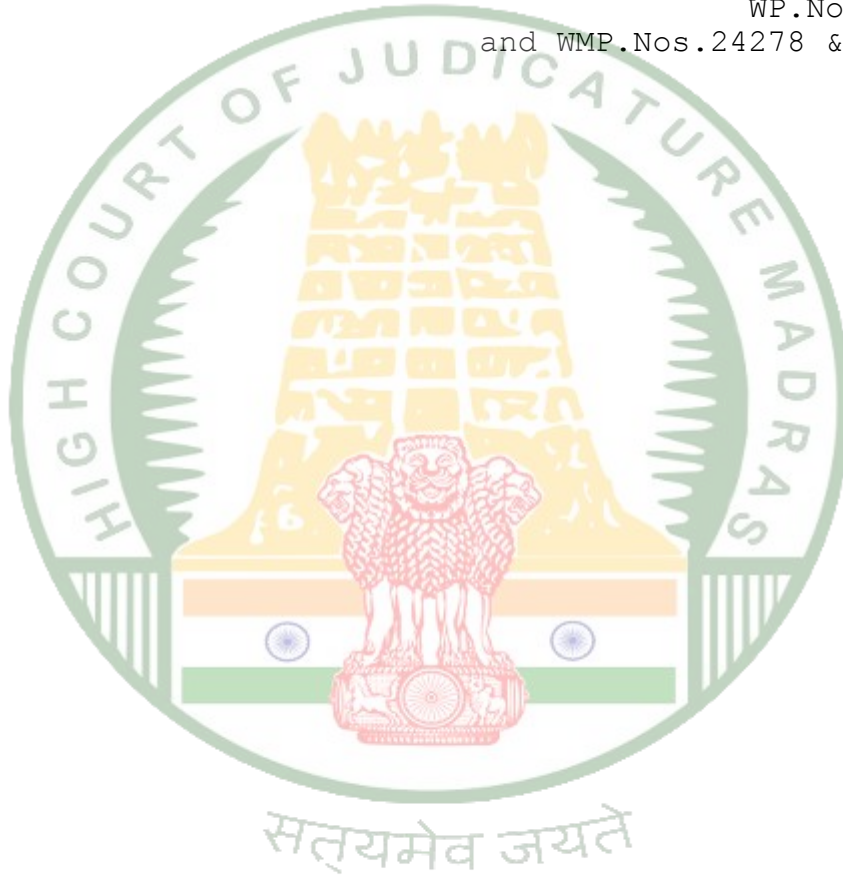
3.The Inspector of Police,
Sethiyathope Police Station,
Sethiyathope,
Cuddalore District.

4.The Sub Inspector of Police,
Chozhatharam Police Station,
Cuddalore District - 608 701.

5.The Public Prosecutor,
High Court, Chennai.

+ 1 CC to Mr.P.R.Thiruneelakandan, Advocate SR NO 46695[17/8/16]
gj(co)
krd 16/8

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