

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2016

Coram

The Hon'ble Mr.Justice B.RAJENDRAN

W.P. No. 32026 of 2016

Sencholai @ Mahendran

District Secretary

Adhi Tamizhar Katchi

Room No.205, Balaji Complex

Gopalapuram 1st Street

Coimbatore District.

...Petitioner

Vs.

1.The Commissioner of Police

Coimbatore District

Coimbatore.

2.The Inspector of Police

B-4, Panthaiya Salai Police Station

Coimbatore.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to grant permission to the petitioner to conduct demonstration (Dhandora Muzhakka Porattam) on 18.09.2016 (Sunday) between 4.00 p.m. to 6.00 p.m., as sought by the petitioner in his letter, dated 16.08.2016, in accordance with the order of this Court reported in 2012 (6) MLJ 728 and pass such further orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.K.C.Karl Marx

For Respondents : Mr.A.Kumar

Special Government Pleader

O R D E R

By consent, the Writ Petition is taken up for final disposal at the time of admission itself.

2.Heard, Mr.K.C.Karl Marx, learned counsel for the petitioner and also Mr.A.Kumar, learned Special Government Pleader, who has taken notice on behalf of the respondents.

3.The petitioner has come up with the present Writ Petition for a Mandamus, directing the respondents to grant permission to the petitioner to conduct demonstration (Dhandora Muzhakka Porattam) on 18.09.2016 (Sunday) between 4.00 p.m. to 6.00 p.m., as sought by the petitioner in his letter, dated 16.08.2016, in accordance with the order of this Court reported in 2012 (6) MLJ 728.

4. According to the petitioner, he is the District Secretary of Adhi Tamizhar Katchi. They have made a demand for installation of the statue of Dr.B.r.Ambedkar in the Coimbatore District. The Coimbatore Corporation Council has also passed a Resolution No.132, dated 24.09.2007, to erect the statue in Coimbatore District, but, till date, no action has been taken for erection of the said statue. The petitioner has given a representation, dated 16.08.2016, to the 2nd respondent seeking permission to conduct a protest in the form of demonstration by beating drums (Thandora Muzhaka Porattam) in front of South Coimbatore Taluk Office, on 18.09.2016 (Sunday) between 4.00 p.m. to 6.00 p.m., but, till date, no order has been passed on his representation. Aggrieved over the same, the petitioner is before this Court with this Writ Petition.

5. Mr.K.C.Karl Marx, the learned counsel for the petitioner would submit that the petitioner is not insisting on any particular place for conducting the demonstration, but, he is insisting to conduct the demonstration by beating drums (Thandora Muzhaka Porattam).

6. Mr.A.Kumar, the learned Special Government Pleader appearing for the respondents would submit that it is for the respondents to decide the place for conducting the demonstration and the petitioner has to abide by the terms and conditions to be imposed by the respondents.

7. Taking into consideration of the submission of the learned counsel for the petitioner that only around 100 persons will be participating in the demonstration and the demonstration will be performed peacefully on 18.09.2016 (Sunday) between 4.00 p.m. to 6.00 p.m., this Court only directs the 2nd respondent to consider the representation of the petitioner, dated 16.08.2016 and pass appropriate orders, on merits and in accordance with law, as expeditiously as possible, preferably before 18.09.2016. It is open for the 2nd respondent to impose the terms and conditions that are necessary and also to fix the place for conducting the demonstration.

8.With the above direction and observation, this Writ Petition stands disposed of. No costs.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

paa

To

1.The Commissioner of Police
Coimbatore District, Coimbatore.

2.The Inspector of Police
B-4, Panthaiya Salai Police Station
Coimbatore.

+1 CC to M/s. K.C. Karlmary, Advocate, Sr.No.51958
+1 CC to Government Pleader, Sr.52051

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MP1 (CO)
MD : 14/09/2016



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