

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 08.01.2016

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P. No.779 of 2016

K.K.Ramesh

.. Petitioner

Vs.

1. The Superintendent of Police,
Satuvachari, Vellore District.

2. The Inspector of Police,
Thirupathur Town, Thirupathur,
Vellore District.

.. Respondents

PRAYER : Writ petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to consider their representation dated 29.12.2015 and to pass appropriate orders.

For Petitioner : Mr.K.Radhakrishnan
For Respondents : Mr.V.Subbiah
Special Government Pleader

O R D E R

Petitioner made a representation, seeking permission to take procession in the Statute of Lord Hanuman. The said request was rejected on three grounds. The first ground is one of traffic congestion, second being possibility of law and order problem and third is the existence of Section 30[2] of the City Police Act. Challenging the same, the present Writ Petition has been filed.

2.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondent.

3.Admittedly, the petitioner has not been put on notice before rejecting his application. If there is a likelihood of traffic congestion, the same always be regulated by the first respondent by imposing such conditions, as he deems it fit and proper. For the likelihood of law and order problem, there is absolutely no material. Similarly, by mere existence of Section 30[2] of the City Police Act, there cannot be a total ban as the said provision at best can only be a regulatory.

4. Accordingly, the Writ Petition is disposed of by directing the first respondent to give adequate permission for the procession subject to the condition that can be imposed including the timing and the route. No costs.

sri

s/d-

Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

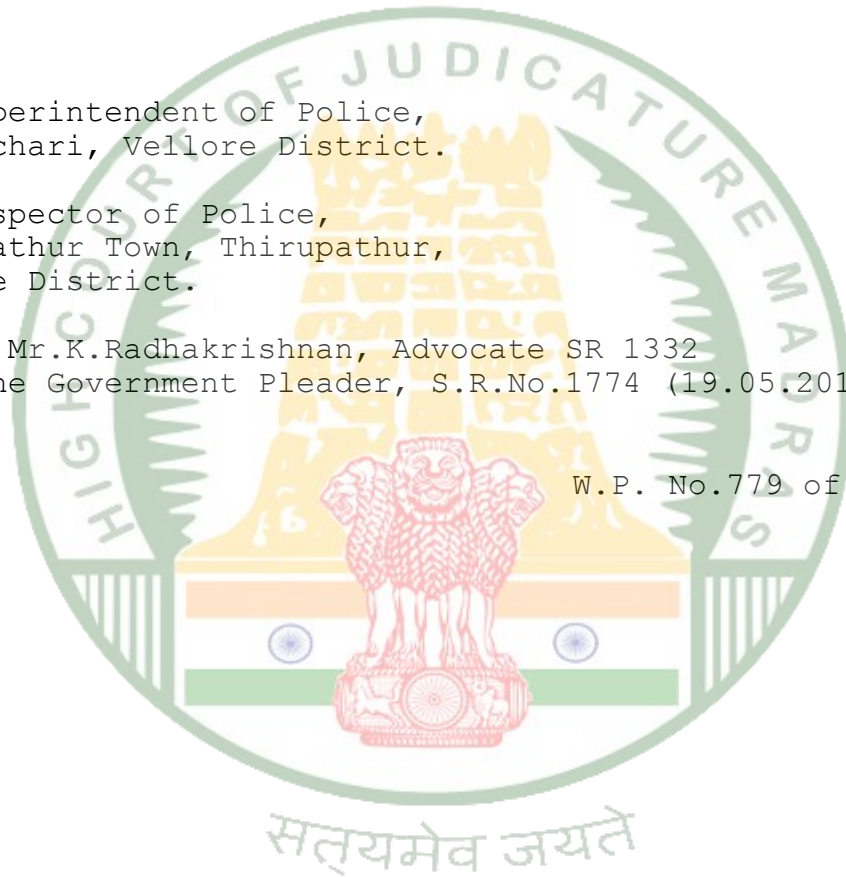
To

1. The Superintendent of Police,
Satuvachari, Vellore District.
2. The Inspector of Police,
Thirupathur Town, Thirupathur,
Vellore District.

+ 1 cc to Mr.K.Radhakrishnan, Advocate SR 1332
+1cc to the Government Pleader, S.R.No.1774 (19.05.2016)

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