



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2016

CORAM

WEB COPY

THE HON'BLE DR.JUSTICE S.VIMALAW.P(MD)No.14570 of 2016

Amuthan

... Petitioner

-vs-

1.The Superintendant of Police,
Virudhunagar
Virudhunagar District.

2.The Deputy Superintendant of Police,
O/o. Deputy Superintendant of Police,
Srivilliputhur,
Virudhunagar District.

3.The Inspector of Police,
Srivilliputhur Town Police Station,
Srivilliputhur,
Virudhunagar District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order dated 01.08.2016 passed by the 3rd respondent and quash the same as illegal and consequentially direct the 3rd respondent to grant permission for conducting procession on 14.08.2016 at 4.00 pm from Madavarvilagam to Andal Theatre through Four Car Street.

For Petitioner : Mr.R.Karunanidhi
For Respondents : Mr.D.Muruganandam
Addl. Govt. Pleader

ORDER

This writ petition has been filed seeking to quash the impugned order passed by the third respondent dated 01.08.2016 with the consequential direction to the third respondent to grant permission for conducting procession on 14.08.2016 at 4.00 pm from Madavarvilagam to Andal Theatre through Four Car Street.

2. Mr.D.Muruganandam, learned Additional Government Pleader, takes notice for the respondents. By consent, the writ petition itself is taken up for final disposal.



3. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

4. The learned counsel appearing for the petitioner would submit that the procession will not be taken in the National Highways and they will confine their procession only through Four Car Street.

5. Therefore, the order of rejection dated 01.08.2016 cannot be stated to be unjustified, when the request was made to take the procession through Highway. The order of rejection reads that there is likelihood of accident being happened, when the procession is taken in the Highway.

6. Under such circumstances, the petitioner is directed to give fresh representation specifying the route, where the chances of accident is less. On receiving such representation, the respondents shall consider the same and pass orders in the light of the order dated 11.08.2014 passed by this Court in WP(MD) No.13073 of 2014.

7. The Writ Petition is disposed of with the above direction.

Sd/-

Assistant Registrar (AE)

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Virudhunagar
Virudhunagar District.
2. The Deputy Superintendent of Police,
O/o. Deputy Superintendent of Police,
Srivilliputhur, Virudhunagar District.
3. The Inspector of Police,
Srivilliputhur Town Police Station,
Srivilliputhur, Virudhunagar District.

+1cc to M/S.R.KARUNANIDHI, ADVOCATE, SR NO: 44717

+1cc to M/S.THE SPECIAL GOVERNMENT PLEADER, SR NO:44920

mj

JA-KP-SAR.III/17.08.2016/2P:6C

W.P (MD) No.14570 of 2016
16.08.2016