

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2017

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

WRIT PETITION No.9021 of 2017

V.Stanly Rajasingh

... Petitioner

Vs.

1. The Executive Officer,
Sulur Municipality,
Coimbatore District - 641 402.

2. The Inspector of Police,
Sulur Police Station,
Coimbatore District - 641 402.

3. Secretary to Government,
Home Department, Fort St George,
Chennai 600 009.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India to issue a writ of certiorarified mandamus to call for the records relating to the impugned order passed by the first respondent herein in his proceedings letter dated 31.03.2017 and quash the same as illegal, arbitrary, discriminatory and against the Constitution of India and consequently direct the respondents herein to permit the petitioner to conduct prayer meeting at Sahaya Annai Nagar, in front of Fashion Restaurant, Sulur, Coimbatore District on 28th, 29th and 30th of April 2017 and grant adequate Police protection in the nature of a writ or another appropriate relief as this Hon'ble Court may deem fit in the circumstance of the case.

For Petitioner : Mr.G.Bala

For Respondents : M/s.M.E.Raniselvam, for R1 to R3
Additional Government Pleader

ORDER

By the impugned order, the petitioner's request to conduct a prayer meeting was rejected.

2. The learned counsel appearing for the petitioner would submit that the petitioner has been conducting the prayer meeting in the very same place over the years, and therefore, such a rejection cannot be sustained in the eye of law.

3. The learned counsel appearing for the first respondent would submit that it is not possible to give permission in the place sought for, as it has been ear-marked for a Park and therefore, steps are being taken for the aforesaid purpose.

4. Secondly, if such permission is granted, there is every likelihood that people belonging to other faith would also make similar requests, which would trigger law and order situation, apart from causing nuisance to others by way of usage of loud speakers etc.

5. This Court does not find any merit in the writ petition. When the place is ear-marked for a Park and it is proposed to develop the said place for the aforesaid purposes, a Court cannot issue a mandamus, contrary to the said public object. Therefore, this Court does not find any reason to interfere with the order impugned as the petitioner does not have a vested right to insist.

6. While dismissing the writ petition, liberty is given to the petitioner to make an application seeking permission in the other available non-objectionable places. If such application is made, the first respondent is directed to consider the same within a period of two weeks from the date of receipt of a copy of the application.

This writ petition is dismissed accordingly. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

gsa/abr

To

1. The Executive Officer,
Sulur Municipality,
Coimbatore District - 641 402.

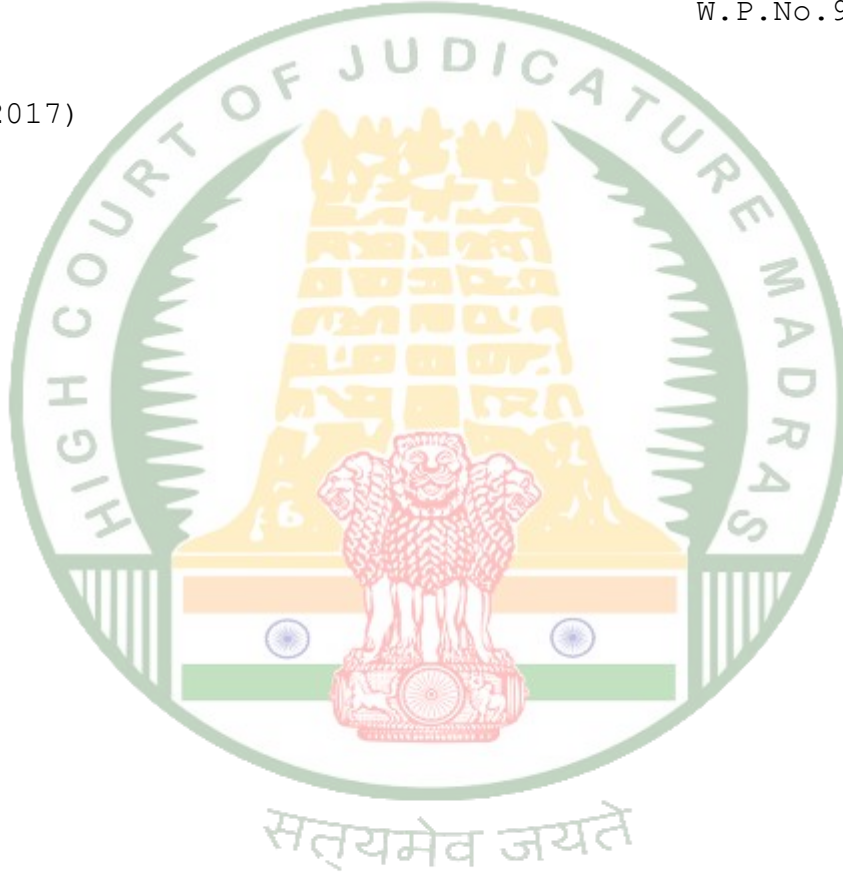
2. The Inspector of Police,
Sulur Police Station,
Coimbatore District - 641 402.

3. The Secretary to Government,
Home Department, Fort St George,
Chennai 600 009.

+1cc to M/s.G.Bala & Daisy, Advocate, S.R.No.24936

W.P.No.9021 of 2017

NR(CO)
CA(05/05/2017)



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