

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2017

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THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.No.30172 of 2017

K.Prabakaran

... Petitioner

Vs

1. The Deputy Superintendent of Police,
Krishnagiri, Krishnagiri District.
2. The Inspector of Police,
Maharajakadai Police Station,
Maharajakadai, Krishnagiri District.
... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus to direct the first and second respondents to consider the petitioner's representation dated 02.11.2017 for conducting public meeting on 27.11.2017 at Devaraj Mahal, Near Govt. Arts College, Chennai National Highway, Krishnagiri - 635 001.

For Petitioner : Mr.T.Sundaravadanam

For Respondents : Mr.S.Babu
Government Advocate

ORDER

This Writ Petition has been filed to direct the first and second respondents to consider the petitioner's representation dated 02.11.2017 for conducting a public meeting on 27.11.2017 at Devaraj Mahal, Near Govt. Arts College, Chennai National Highway, Krishnagiri - 635 001.

2 By consent of both the parties, the main writ petition itself is taken up for final disposal at the admission stage itself.

3 It is a settled proposition of law that as long as the petitioner seeks for conduct of a public meeting, which is peaceful in nature, the respondents are not entitled to refuse

permission. In the case on hand, the petitioner has sought for permission for conducting a public meeting in the name of the Mahaveer Nal Podukootam on 27.11.2017 at Devaraj Mahal, Near Govt. Arts College, Chennai National Highway, Krishnagiri - 635 001, in their own covered premises.

4 In this connection, he had given a requisition, seeking permission, on 02.11.2017 to the 2nd respondent herein. Though the said application has been pending for the past 20 days, no orders have been passed on the same. It is needless to point out that whenever such representations are made, the respondent police are expected to dispose of the same one way or other, rather keeping it pending indefinitely.

5 It is also a settled proposition of law that conduct of such a peaceful meeting is a fundamental right and that the respondents are not entitled to refuse the same on flimsy grounds. Rather they are expected to impose reasonable restrictions to regulate the meeting. Since the meeting is scheduled to be held on 27.11.2017, it would be appropriate to direct the respondents to consider the petitioner's representation dated 02.11.2017, expeditiously.

6 In the result, the writ petition is allowed. Consequently, the second respondent is directed to pass an order on the petitioner's representation dated 02.11.2017, by granting permission for conducting a public meeting, to be held on 27.11.2017, in the name of the "Mahaveer Nal Podukootam" at Devaraj Mahal, Near Govt. Arts College, Chennai National Highway, Krishnagiri - 635 001 between 4.00 p.m. to 10.00 p.m. The said permission shall be granted before 25.11.2017. It is open to the second respondent to impose reasonable restrictions while granting such permission. No costs.

Sd/-

Assistant Registrar

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Sub Assistant Registrar

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To

1. The Deputy Superintendent of Police,
Krishnagiri, Krishnagiri District.
2. The Inspector of Police,
Maharajakadai Police Station,
Maharajakadai, Krishnagiri District.

+1 cc to Mr.T.Sundaravadanam Advocate sr 83410

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