

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.08.2017

CORAM :

The Hon'ble MR.JUSTICE T.S.SIVAGNANAM

AND

The Hon'ble MR.JUSTICE M.SUNDAR

W.P. No.20764 of 2017
and W.M.P.No.21597 of 2017

Traffic Dr.K.R.Ramaswamy .. Petitioner

-vs-

State Rep. By

1.The Chief Secretary,
Govt. of Tamilnadu,
Secretariat, Chennai 600 009.

2.The Home Secretary,
Govt. of Tamilnadu, Secretariat,
Chennai 600 009.

3.The Director General of Police,
Dr.Radhakrishnan Salai, Mylapore,
Chennai 600 004.

4.The Inspector General,
Intelligence, Dr.Radhakrishnan Salai,
Mylapore, Chennai 600 004.

5.The Commissioner of Police,
Greater Chennai City Commissioner
Office, Vepery, Chennai 600 007.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the above respondents to take proper action as per the representation to the letter and spirit dated 14.07.2017 and 27.07.2017 to take necessary action against the Marina Beach to use for the public protest to show the public rights and objection against the government to know that letter and spirit.

For Petitioner : Traffic Dr.Ramaswamy
Party-in-person

For Respondents : Mr.M.K.Subramanian,
Govt. Pleader

O R D E R

(Order of the Court was made by Mr.T.S.Sivagnanam, J.)

The petitioner, who is appearing in person, seeks for a direction to the respondents to take proper action on his representation. Though the prayer is not well worded, what the petitioner seeks is for permission to conduct a protest in the Marina Beach.

2.Learned Government Pleader has brought to our notice a Government Letter dated 26.09.2003 whereby the Secretary to Public Department had directed the Commissioner of Chennai Corporation to identify suitable locations in and around the Chennai City for the purpose of conducting public meetings, as earlier public meetings were conducted at Marina and continuous requests had been received. It is further submitted that one public interest litigant, Thiru.P.N.Srinivasan filed a writ petition in W.P.No.22402 of 2004 to quash an order passed by the Assistant Commissioner of Police, Royapettah, dated 22.07.2004, refusing to grant permission to the petitioner therein to celebrate the Quit India Movement at Thilak Ghat in Marina Beach. It is submitted that the said writ petition was dismissed by this Court by order dated 05.08.2004. However, it was made clear that the denial of request made by the petitioner to commemorate the 62nd anniversary of Quit India Movement at Thilak Ghat is on the solemn statement made by the State Government that they have not permitted any activity either similar to the one now asked for or any other activities since last one year and they would continue to keep up that solemn assurance for the period to come.

3.What the petitioner would submit is that several protests are being conducted in Marina Beach and the respondents are unable to control or take any action and there is no valid reason as to why the petitioner should not be permitted to sit near the Gandhi statue.

4.At this stage of the matter, we cannot issue any positive direction to the respondent to grant permission to the petitioner to conduct a protest or to go on fast at a particular location. It is for the enforcing agencies to take a decision on the petitioner's application. Learned Government Pleader submits that orders will be passed on the petitioner's application within two (2) days.

5.The said statement is placed on record and the writ petition stands disposed of accordingly. No costs. Consequently, W.M.P.No.21597 of 2017 is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

sra

To

1.The Chief Secretary,
Govt. of Tamilnadu,
Secretariat, Chennai 600 009.

2.The Home Secretary,
Govt. of Tamilnadu, Secretariat,
Chennai 600 009.

3.The Director General of Police,
Dr.Radhakrishnan Salai, Mylapore,
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4.The Inspector General,
Intelligence, Dr.Radhakrishnan Salai,
Mylapore, Chennai 600 004.

5.The Commissioner of Police,
Greater Chennai City Commissioner
Office, Vepery, Chennai 600 007.

+ 1 cc to Government Pleader SR.56406

W.P.No.20764 of 2017

EU 23.08.17

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