

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.No.31568 of 2017

K.Muruganantham

...

Petitioner

Vs.

1. The Inspector of Police,
Vridhachalam Circle,
Vridhachalam.

2. The Superintendent of Police,
Cuddalaore District.

...

Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of certiorarified mandamus, calling for the records pertaining to the order dated 27.11.2017 passed by the 1st respondent and quash the same and consequently direct the respondents to permit the petitioner to conduct Public Meeting on 11.12.2017 or any other subsequent dates at Radio Thidal Vridhachalam evening around 5.00 p.m.

For Petitioner : Mr.V.Porkodi

For Respondents : Mr.S.Babu
Government Advocate

O R D E R

The limited prayer sought for by the petitioner is to quash the order of the first respondent dated 27.11.2017 and further direct the respondents to grant permission to conduct a peaceful procession and public meeting scheduled to be held on 30.12.2017. Based on the petitioner's representation dated 17.11.2017 to conduct the events.

2.Learned Government Advocate on instructions submitted that if the permission is granted, it would cause traffic congestion.

3.I do not endorse the reasoning of the respondents for rejecting the petitioner's request for the simple reason that the police department has been created only for the purpose of tackling the above problems. Since it is the fundamental right of the petitioner to conduct such a procession and public meeting, if at all, the respondent is of the view that the meeting may cause traffic congestion, it was always open to them to permit the petitioner to conduct the procession and

regulating the same by imposing reasonable conditions. Hence, the first respondent is directed to grant permission to the petitioner to conduct a public meeting on 30.12.2017, by considering the petitioner's representation dated 17.11.2017. Such exercise shall be completed on or before 29.12.2017. The permission shall be granted enabling the petitioner to have a peaceful public meeting. Pursuant to the public meeting, the first respondent shall also grant permission to the petitioner to conduct the meeting between 5.30 p.m. and 7.30 p.m.

4.It is open to the first respondent to impose any reasonable restrictions, without deviating the permission for the procession and meeting as well as without deviating the route.

5.The Writ Petition stands allowed, with the above terms.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

AT
To

1. The Inspector of Police,
Vridhachalam Circle,
Vridhachalam.
2. The Superintendent of Police,
Cuddalaore District.

+lcc to Government Pleader SR.No.91116
+lcc to M/s.V.Porkodi, Advocate SR.No.90486

sm:28.12.2017

सत्यमेव जयते W.P.No.31568 of 2017

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