

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2017

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.No.24047 of 2017

S.Ramachandran

... Petitioner

Vs

1. Commissioner of Police,
Chennai City, Vepery,
Chennai - 600 007.

2. The Inspector of Police,
Thuraipakkam Police Station,
Thuraipakkam, Chennai-600 097.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus to direct the respondents to consider the representation of the petitioner dated 01.09.2017 in accordance with law to secure the ends of justice.

For Petitioner : Mr.R.Sankarasubbu

For Respondents: Mr.D.Vairamoorthy
Special Government Pleader

ORDER

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

2. The petitioner's request to the first respondent, dated 01.09.2017, seeking for agitation by fasting to highlight the atrocities committed against dalits, was kept pending without passing any orders and hence this writ petition has been filed.

3. Today, when the matter is called, the learned Special Government Pleader submitted that the representation dated 01.09.2017 has not been received by the respondents. Furthermore, the place in which the petitioner seeks for

conducting the agitation is prohibited area and hence permissions were not granted for the purpose of conducting agitation.

4. It will not be the out of place to mention that whenever a section of the society intends to peacefully agitate, the same should be done in a area which is permissible by the respondent police and at the same time it should also be the place where the grievance of the petitioner would be properly demonstrated to the views of the general public. Hence, if at all the first respondent is of the opinion that the place sought for i.e. Thoraipakkam OMR Salai & Raj Nagar Junction at Chennai is not appropriate place for the agitation, they can suggest some other place which could be at Old Mahabalipuram Road in Thoraipakkam, which area should be open to the public view. It is needless to point out that it is the petitioner's right for holding such agitation, which would be subject to the reasonable restrictions like maintaining peace without affecting the traffic and other public.

5. Hence, in view of the above observations, the petitioner is granted liberty to make a representation to the second respondent, requesting for the conduct of such agitation and on receipt of such representation from the petitioner, the second respondent shall consider the same favourably on the same day and permit the petitioner to hold the agitation at OMR, Thoraipakkam, Chennai.

6. It is open to the second respondent to impose reasonable restrictions during the conduct of such agitation. It is also made clear that such permission for the conduct of agitation shall be given for only one day commencing from 10.00 a.m. to 5.00 p.m.

7. With the above observations, the writ petition stands disposed of. No costs. सत्यमेव जयते

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

cgi/arr

To

1. Commissioner of Police,
Chennai City, Vepery,
Chennai - 600 007.

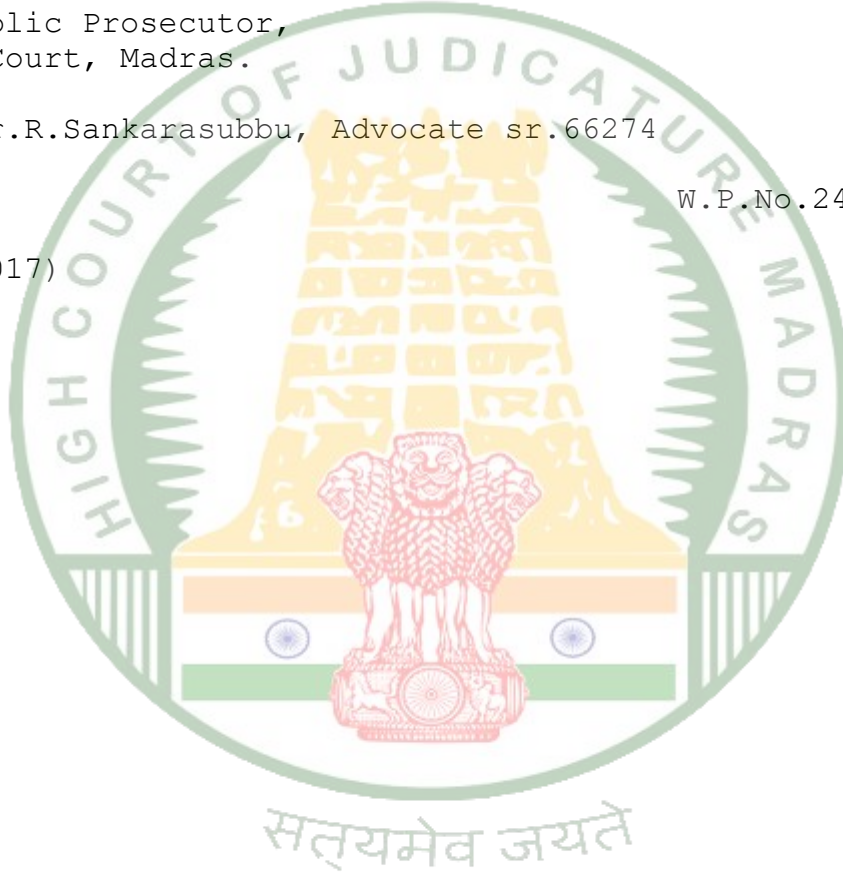
2. The Inspector of Police,
Thuraipakkam Police Station,
Thuraipakkam, Chennai-600 097.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Sankarasubbu, Advocate sr.66274

W.P.No.24047 of 2017

ss(18/9/2017)



WEB COPY