

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2017

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

WP.No.24337 of 2017
and WMP.Nos.25748 & 25749 of 2017

R.Balasundaram ... Petitioner

Vs

1.The District Collector,
Villupuram District,
Villupuram.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Collector Office Road,
Villupuram - 605 602.

3. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Collector Office Road,
Villupuram - 605 602.
(Impleaded as per order dated 22.09.2017 in
W.M.P.No.25871 of 2017 in W.P.No.24337 of 2017

.... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records of the proceedings dated 7.9.2017 and bearing Na.Ka.EN.209/Villu Ut/2017 on the file of the second respondent and to quash the same as illegal and unconstitutional and to consequently direct the first and second respondents to grant permission to the petitioner and his party members to garland the statue of former Chief Minister's Late Sri.C.N.Annadurai and Late Sri.M.G.Ramachandra in Villupuram on 10.09.2017.

For Petitioner : Mr.M.Venkatesh Kumar
For Respondents : Mr.D.Vairamoorthy
Special Government Pleader

ORDER

The petitioner's request is to garland the statue of former Chief Ministers late Sri.C.N.Annadurai and late Sri.M.G.Ramachandra in Villupuram and it was rejected by the second respondent by order dated 07.09.2017 on the ground that the law and order problem might arise. I am unable to

contemplate as to why, if proper protection is given, such law and order problem would arise. The duty of the respondents is to provide protection to such situations where there is a problem of law and order. Hence the reason given in the impugned order that the petitioner should not be permitted to garland the statue is improper.

2. In the result, the petitioner is granted liberty to approach the second respondent herein specifying the date on which he intends to garland the statue and on receipt of such representation the second respondent shall grant permission to the petitioner to garland the statue of former Chief Ministers late Sri.C.N.Annadurai and late Sri.M.G. Ramachandran in Villupuram. It is open to the second respondent to impose such conditions in order to provide any law and order that might arise while granting permission. Such an exercise/decision shall be taken within a period of two days from the date of receipt of the petitioner's representation.

3. With the above observation, the writ petition is disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

dpq/rts

To

1. The District Collector,
Villupuram District,
Villupuram.

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+1 CC to Mr.M. Venkatesh Kumar, Advocate sr 71075.

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SP(10/10/2017)