

IN THE HIGH COURT JUDICATURE AT MADRAS

Dated: 15.09.2017

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.24894 of 2017

Jessy Gloria

.. Petitioner

Vs.

1.The State Rep. by
The Superintendent of Police
Kancheepuram
Kancheepuram District

2.The Deputy Superintendent of Police
Kancheepuram
Kancheepuram District

3.The Inspector of Police
B2, Vishnukanchi Police Station
Kancheepuram
Kancheepuram District

.. Respondents

Writ Petition filed under Article 227 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the respondent's impugned order in Na.Ka.No.155/Ka.Aa/B2 PS/2017 dated 14.09.2017 and quash the same as illegal and direct the 3rd respondent to grant protection to the two wheeler rally of the petitioner organisation to celebrate 139th Birth Anniversary of Thanthai Periyar by garlanding his statue on 17.09.2017 at 8 am.

For Petitioner : M/s.A.Arulmozhi

For Respondents : Mr.D.Vairamoorthy
Special Government Pleader

ORDER

Heard Ms.A.Arulmozhi, learned counsel for the petitioner and Mr.D.Vairamoorthy, learned Special Government Pleader appearing for the respondents and with the consent of both the counsels, the writ petition is taken up for final disposal.

2.By order dated 14.09.2017, the third respondent had rejected the petitioner's request for granting permission for a two wheeler rally by the petitioner's organisation to celebrate the Birth Anniversary of Thanthai Periyar by garlanding his statue on 17.09.2017.

3.On a perusal of the rejection order, the reason adduced therein is not satisfactory. On the mere statement that such permission was not granted on earlier occasions, the refusal was made. Whenever it is brought to the notice of the police that a rally is being organized in a peaceful manner without affecting the law and order, it would be appropriate for the respondent to consider granting permission to such rallies.

4.At this juncture, when the learned Special Government Pleader, on instructions, submitted that if the petitioners approach the second respondent, the Deputy Superintendent of Police, Kancheepuram Sub-Division, Kancheepuram District, with a necessary application seeking permission for the rally, the same would be considered favourably.

5. Recording the submission made by the learned Special Government Pleader, the petitioner is granted liberty to approach the Deputy Superintendent of Police, Kancheepuram Sub-Division, Kancheepuram District, seeking permission to conduct the rally on 17.09.2017 at 08.00am. On receipt of such a representation, the second respondent shall consider it favourably on the very same day.

With the above direction, the writ petition stands closed.
No costs.

Sd/-
Asst.Registrar (CS V)

/true copy/

सत्यमेव जयते

Sub Asst. Registrar

To

1.The Superintendent of Police
Kancheepuram
Kancheepuram District

2.The Deputy Superintendent of Police
Kancheepuram, Sub-Division,
Kancheepuram District

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3.The Inspector of Police
B2, Vishnukanchi Police Station
Kancheepuram
Kancheepuram District

+1cc to M/s.A.Arulmozhi, Advocate in sr.no.67408

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NR 15/09/2017



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