

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2017

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.1757 of 2017

and

W.M.P.Nos.1744 and 1745 of 2017

M.Chandrasekar

[Petitioner]

Vs

1.The Deputy Superintendent of Police,
Law and Order, Coimbatore City.

2.The Inspector of Police,
D4 Police Station,
Kuniyamuthur, Coimbatore City-641 008.

3.The Secretary to Government,
Home, Prohibition and Excise Department,
Government of Tamil Nadu,
Fort St.George, Chennai-600 009.

[Respondents]

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus calling for the records in Na.Ka.No.123/A/Ka.Thu.A./Sa.O/Ko.Ma/2017 dated 21.01.2017 on the file of the first respondent and quash the same as illegal, arbitrary, discriminatory and against the Constitution of India and direct the respondents to permit the petitioner to conduct the meeting in Palakad Main Road, Kuniyamuthur, Coimbatore, Opp.to Wahab Petrol Bunk.

For Petitioner : Mr.A.Thiagarajan, Sr.Counsel
for Mr.D.Veerasekaran

For Respondents : Mr.C.Emalias,
Additional Public Prosecutor

ORDER

This writ petition has been filed to quash the proceedings of the first respondent dated 21.01.2017 as illegal, arbitrary, discriminatory and against the Constitution of India and further direct the respondents to permit the petitioner to conduct a meeting to hold audio-visual programme relating to the celebration of birth anniversary of Thanthai Periyar and centenary birth anniversary of Dr.M.G.Ramachandran in Palakad Main Road, Kuniyamuthur, Coimbatore, Opp.to Wahab Petrol Bunk.

2.The petitioner made a representation dated 06.01.2017 to the second respondent seeking permission to conduct the said meeting on 28.01.2017. The petitioner has also sought for police protection. Subsequently, the first respondent has passed the impugned order rejecting the request of the petitioner. Hence this writ petition.

3.The learned senior counsel appearing for the petitioner submits that the action of the first respondent in not permitting the petitioner to conduct the meeting is illegal, arbitrary and against the principles of natural justice and it is violative of Article 19(1)(a) and (b) of the Constitution of India. Stating so, the learned counsel for the

petitioner prayed for a direction to the respondent police to permit the petitioner to conduct the meeting as prayed for.

4.Mr.C.Emalias, learned Additional Public Prosecutor, takes notice for the respondents.

5.Considering the submissions made by the learned counsel for the petitioner as well as the facts and circumstances of the case and also the fact that permission was granted for other organisations in the same place, the impugned order of the first respondent dated 21.01.2017 is set aside and the respondents are directed to permit the petitioner to hold the meeting on a required date, imposing necessary conditions for maintaining the law and order. Further, adequate police protection shall be deployed for conducting the meeting. It is made clear that the petitioner shall not cause any unnecessary damage to the religious sentiments of others.

6.The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petitions are closed.

Index : Yes/No
Internet : Yes/No
KM

27.01.2017

R.MAHADEVAN, J.

KM

Note to the Registry: Issue order copy today (27.01.2017).

To

- 1.The Deputy Superintendent of Police,
Law and Order, Coimbatore City.
- 2.The Inspector of Police,
D4 Police Station,
Kuniyamuthur, Coimbatore City-641 008.
- 3.The Secretary to Government,
Home, Prohibition and Excise Department,
Government of Tamil Nadu,
Fort St.George, Chennai-600 009.
- 4.The Public Prosecutor,
Madras High Court,
Chennai-600 104.

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