

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2017

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.No.27809 of 2017
and
W.M.P.No.29799 of 2017

D.K.Rajendran

... Petitioner

Vs

1. The Superintendent of Police,
Dharmapuri District,
Dharmapuri.

2. The Inspector of Police,
B-1, Town Police Station,
Dharmapuri.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the second respondent to consider the petitioner's representation dated 24.10.2017 and to grant permission to the petitioner to conduct the public meeting at Vallalar Thidal, Dharmapuri Schedule on 05.11.2017 or on subsequent dates.

For Petitioner : Mr.M.Sriram,
for Mr.R.Rajaramani

For Respondents : Mr.K.Dhananjayan
Special Government Pleader

ORDER

This Writ Petition has been filed by the petitioner seeking for a direction to the second respondent to consider his representation dated 24.10.2017 and to grant permission to him to conduct the public meeting at Vallalar Thidal, Dharmapuri scheduled on 05.11.2017 or on subsequent dates.

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

3.Heard Mr.M.Sriram, learned counsel for the petitioner as well as Mr.K.Dhananjayan, learned Special Government Pleader appearing on behalf of the respondents.

4.The learned counsel for the petitioner submitted that the petitioner has submitted his representation on 24.10.2017 seeking permission for conducting public meeting on 05.11.2017 and since no reply has been given by the respondent police, the petitioner has come forward with the present petition.

5.The learned Special Government Pleader submitted that the petitioner's representation for conducting public meeting on 05.11.2017 is under consideration. He further submitted that there may be likelihood of law and order problem.

6.On this issue, this Court as well as the Hon'ble Supreme Court in various cases have held that the conduct of peaceful meeting is a fundamental right and therefore, the respondents cannot deny permission on the reason that there is a likelihood of law and order problem.

7.It is needless to point out that if at all, there is any likelihood or a situation of law and order, it is the duty of the respondent police to safeguard the situation and keep it under control. In this background, I am of the view that the petitioner is entitled to be granted permission for conducting such a meeting. However, the meeting shall be done in a peaceful manner, without affecting any sections of the society. The respondent police would also be entitled to impose reasonable restrictions for the purpose of granting permission.

8.With the above observation and direction, the Writ Petition stands allowed. The petitioner is granted liberty to approach the respondent police seeking permission for conducting a public meeting at Vallalar Thidal, Dharmapuri on 05.11.2017 afresh and on receipt of such application, the second respondent police shall positively grant permission with reasonable restrictions. Such an exercise shall be endeavoured to be made on the same day of the application. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

DP

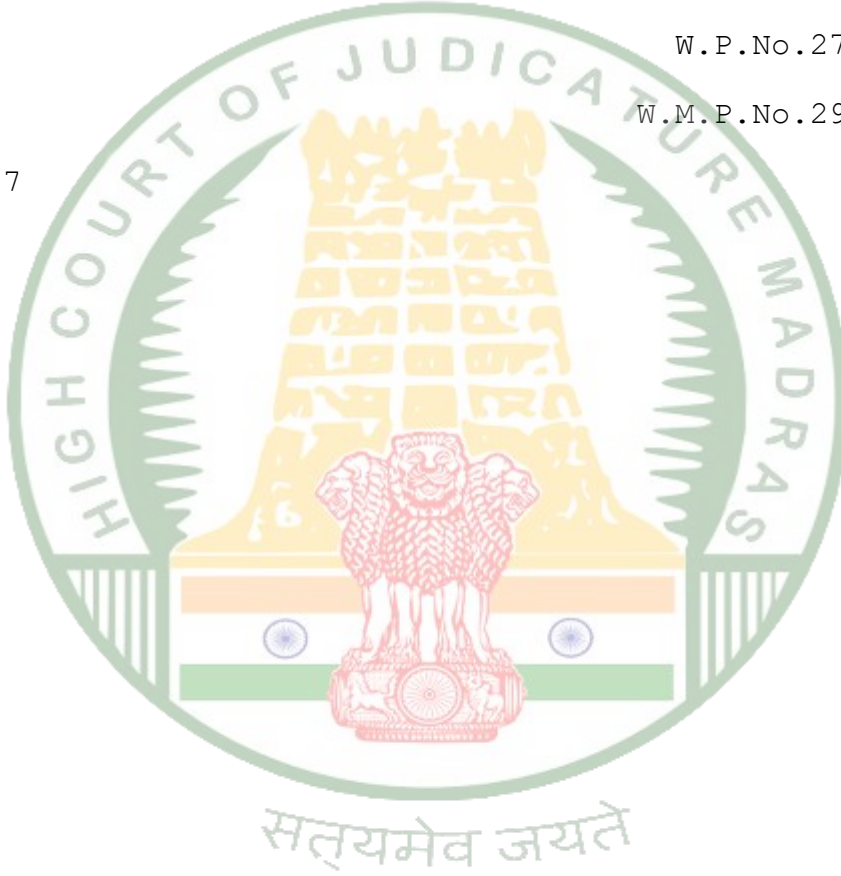
To

1. The Superintendent of Police,
Dharmapuri District,
Dharmapuri.
2. The Inspector of Police,
B-1, Town Police Station,
Dharmapuri.

+lcc to Mr.V.R.Annagandhi, Advocate, S.R.No.77911

W.P.No.27809 of 2017
and
W.M.P.No.29799 of 2017

CS/03/11/17



WEB COPY