

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 21.07.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR
W.P. (MD)No.13496 of 2017

R.Ramesh

... Petitioner

Vs.

1. The Superintendent of Police,
Office of the Superintendent of Police,
Karur District.
2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Karur Sub Division, Karur District.
3. The Inspector of Police,
B1, Karur Town Police Station,
Karur District.

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records connected with the impugned order in ந.க.எஸ்.No.42/B1 PS/Karur/2017, dated 14.07.2017 on the file of the Respondent No.3 and quash the same as illegal, consequently to direct the respondents for grant permission for conducting agitation on 04.08.2017 from 5 P.M. or any other earliest date at Karur bus stand or Taluk Office within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.R.Alagumani.

For Respondents : Mr.A.K.Baskara Pandian,
Special Government Pleader.**O R D E R**

This Writ Petition has been filed seeking for the issuance of Writ of Certiorarified Mandamus to call for the records connected with the impugned order in ந.க.எஸ்.No.42/B1 PS/Karur/2017, dated 14.07.2017 on the file of the respondent No.3 and quash the same as illegal and consequently direct the respondents to grant permission for conducting agitation on 04.08.2017 from 5 P.M. or any other earliest date at Karur bus stand or Taluk Office.

2.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondent.



3.The learned counsel for the petitioner would submit that he is functioning as the District Organizer of Tamilar Nalam Periyakkam. They have decided to conduct an agitation on 17.07.2017 near Karur Bus Stand for taking action to release Perarivalan and six other life convicts on parole. In this regard, seeking permission and police protection, he submitted an application before the third respondent on 10.07.2017. However, the third respondent Police has rejected that request by passing the impugned order, dated 14.07.2017. He submitted another application on 15.07.2017 for conducting agitation on 04.08.2017 for taking action to remove two TASMAL shops. The respondent No.3 rejected that request also. Now, challenging the same, the petitioner is before this Court with this Writ Petition. The learned counsel for the petitioner further submitted that as the agitation is conducted in a peaceful manner by the members of the Petitioner's Iyakkam, there will be no untoward incident by them.

4.The learned Special Government Pleader appearing for the respondent, on instructions, would submit that the place which was chosen by the petitioner for their agitation is more crowded. Since, it is difficult to manage the crowd, the learned Special Government Pleader requested that the petitioner may be directed to conduct agitation at Karur Taluk Office instead of Karur Bus Stand.

5.The learned counsel appearing for the petitioner submitted that the petitioner will be also happy, if permission is granted to conduct agitation at Karur Taluk Office. The other grievance of the respondent for change of timing from 5 P.M and 7 P.M to 4 P.M and 6 P.M also is agreed by the learned counsel for the petitioner.

6.In view of the above, the petitioner is directed to submit a fresh representation to the third respondent, seeking permission to conduct agitation on 04.08.2017 between 4 P.M and 6 P.M at Karur Taluk Office. The third respondent is directed to consider the same and to grant permission to the petitioner to conduct agitation on 04.08.2017 between 4 P.M to 6 P.M at Karur Taluk Office, subject to any reasonable restrictions that may be required to ensure law and order and communal harmony.

7.Accordingly, the writ petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar(RTI)

/True Copy/



To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Karur District.
2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Karur Sub Division, Karur District.
3. The Inspector of Police,
B1, Karur Town Police Station,
Karur District.

+1cc to M/S. R.ALAGUMANI, Advocate, SR.No.66927.

+1cc to Special Government Pleader, SR.No.67287.

W.P. (MD) No.13496 of 2017
21.07.2017

vs/lis

SDS/SKN:RSK/SAR 4/27.07.2017/3P/6C