



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

W.P. (MD) No.13559 of 2017

R.Selvam

... Petitioner

Vs.

1. The Commissioner of Police,  
Madurai City,  
Madurai.

2. The Assistant Commissioner of Police (Law and Order),  
Madurai City,  
Madurai.

3. The Inspector of Police,  
Tallakulam Police Station,  
Madurai District.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for records relating to the impugned order in Na.Ka.No.56/MLR/Ka.U.Aa/Sa.O.Sa./2017, dated 14.07.2017 passed by the second respondent and quash the same as illegal and consequently direct the respondents to grant permission for holding human chain protest on 26.07.2017 between 04.00 p.m. and 07.00 p.m. starting at a point from Thamzhl Annai Statue, Thamukkam to Thamarai Thotti, Pudur, Madurai by considering the petitioner's representation dated 19.07.2017.

For Petitioner : Mr.M.Jerin Mathew

For Respondents : Mr.A.K.Baskara Pandian  
Special Government Pleader

\*\*\*

### **O R D E R**

The petitioner has sought for permission to conduct peaceful human chain protest to show their solidarity and support for the people of Neduvasal and Kathiramangalam against the policies of Central Government by its letter dated 13.07.2017, which came to be rejected by the second respondent vide his proceedings dated 14.07.2017.



2. The case of the petitioner is that he is the Joint Secretary of State wide Youth Wing of Athi Thamizhar Peravai and also coordinator of Iyarkai Pathukappu Kuzhu. He claimed to have his credit several social activities relating to protect, safeguard and proliferate forest, environment, water bodies and bio-diversity and to bring about ecological balance for the present and future generation. It is stated by the learned counsel for the petitioner that the petitioner has organised several protest against the Hydro Carbon project at Neduvasal and Kathiramangalam. It is in this connection they have also organised a human chain protest which was earlier proposed on 26.07.2017 and a representation was given and the same was rejected by the second respondent by the impugned order on the ground that grant of permission to the petitioner as the agitation is likely to create law and order problem.

3. After notice to the respondents, the learned Special Government Pleader on instructions suggested that the petitioner can be given permission to the event at any other alternative place for which the respondent police may not have serious objection. As between the petitioner and the respondent police, an unobjectionable place is now identified and approved by both parties. It is stated that a consensus is reached now as to the place in which the human chain protest can be organised by the petitioner on 26.07.2017 or any other date. As per the consensus reached, the human chain protest can be from Suguna Stores Junction at Anna Nagar to Ambika Theatre Junction in the same area.

4. Having regard to the fact that the petitioner himself undertakes that less than three hundred persons alone may participate in the human chain protest, this Court is fully convinced that the place identified by both the parties can be fixed for conducting the human chain protest. Though the learned counsel for the petitioner sought for permission to hold the human chain protest on 26.07.2017, the learned counsel for the petitioner requested that the date may be altered to some other date on account of the delay in organising the programme. The learned Special Government Pleader appearing for the respondents on instructions submit that the respondent police has no grievance and it is agreed mutually that the petitioner can be given permission to hold human chain protest on 01.08.2017 between 04.00 p.m. and 07.00 p.m. Hence, the second respondent is directed to grant permission to the petitioner to hold human chain protest on 01.08.2017 between 04.00 p.m. and 07.00 p.m. from Suguna Stores Junction at Anna Nagar to Ambika Theatre Junction in the same area and the second respondent may impose any reasonable restrictions / order to preserve the law and order and communal harmony.



5. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(RTI)

WEB COPY

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,  
Madurai City,  
Madurai.
2. The Assistant Commissioner of Police (Law and Order),  
Madurai City, Madurai.
3. The Inspector of Police,  
Tallakulam Police Station,  
Madurai District.

+1cc to Mr.M.Jerin Mathew, Advocate in SR.No.67595

+1cc to The Special Government Pleader in SR.No.67968

SRM/LS

AE/SKN RSK/SAR2/27.07.2017/3P/6C

W.P. (MD) No.13559 of 2017  
24.07.2017