



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 23.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

WEB COPY

W.P. (MD) No.15524 of 2017

Abdullah Hassan

... Petitioner

Vs.

1.The Deputy Commissioner of Police,
O/o. Commissioner of Police,
Law & Order,
Trichy City.

2.The Assistant Commissioner of Police,
O/o. Commissioner of Police,
Trichy Fort,
Trichy District.

3.The Inspector of Police,
Palakarai Police Station,
Trichy City,
Trichy.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents No-1 to 3 to grant permission for conducting rally from Palakkarai to Ramakrishna bridge or any other route as specific by the respondents police at Trichy city on 19.08.2017 or 22.08.2017 by considering the petitioner's representation dated 09.08.2017.

For Petitioner : Mr.R.Karunanidhi

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 a Writ of Mandamus, directing the respondents No-1 to 3 to grant permission for conducting rally from Palakkarai to Ramakrishna bridge or any other route as specific by the respondents police at Trichy city on 19.08.2017 or 22.08.2017 by considering the petitioner's representation dated 09.08.2017.

<https://hcservices.ecourts.gov.in/hcservices/>

2. Heard the learned counsel appearing for the petitioner



and the learned Special Government Pleader appearing for the respondents.

3. The petitioner stated that he is functioning as District Secretary of Social Democratic Party of India (SDPI). It is stated that the petitioners party's prime object is to strive for the establishment of governance in the Union and the States, capable of fulfilling equal rights to all citizens and all classes in India. It also aims to unite all depressed classes in a national political movement.

4. The petitioner further stated that his party has also been conducting several demonstration across the State of Tamil Nadu against lynching. They also proposed to conduct rally in several places. In the District of Trichy, the petitioner proposed to conduct the rally originally on 19.08.2017 or 22.08.2017. However, the representation of the petitioner was not considered. The petitioner stated in one of his representation that the permission for conducting rally was originally rejected earlier due to the reason that the proposed places, which was chosen by the petitioner for conducting rally, is not suitable having regard to the traffic and public convenience. It was therefore the petitioner himself agreed that he would select the other place.

5. The learned Special government Pleader, today, on instructions, submitted that the petitioner's representation for permission and police protection is not feasible, in view of the fact that even with additional forces they are not able to give police protection as they have been engaged to give protection in several places for the purpose of conducting Vinayagar Chathurthi festival.

6. The submission of the learned Special Government Pleader has substance and therefore the learned counsel for the petitioner was requested to get instructions from his client to change the date so that the respondents will be in a position to provide adequate police protection.

7. After a long process of consultation, both the counsel reported that the permission that was sought for by the petitioner can be given to conduct rally on 31.08.2017.

8. In view of the same, the petitioner is directed to abide and adhere to the conditions stipulated by the respondents including the place for conducting rally. The respondents are at liberty to put any reasonable restrictions and conditions, so as to preserve peace and tranquility. The respondents are directed to grant permission to the petitioner and give police Protection rally on 31.08.2017, subject to any reasonable restrictions.



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

Sd/-
Assistant Registrar(CO)

/True copy/

WEB COPY

sub Assistant Registrar

To

1. The Deputy Commissioner of Police,
O/o. Commissioner of Police,
Law & Order,
Trichy City.

2. The Assistant Commissioner of Police,
O/o. Commissioner of Police,
Trichy Fort,
Trichy District.

3. The Inspector of Police,
Palakarai Police Station,
Trichy City,
Trichy.

+1cc to Mr. KARUNANIDHI, Advocate, SR. 74168

+1cc to M/S. Special Government Pleader, SR. 74672

W.P. (MD) No. 15524 of 2017
23.08.2017

TA

KK/SV MMS/SAR4/29.08.2017/ 3P- 6C