



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) No.15783 of 2017

A.Jirgis

... Petitioner

Vs.

1.The Deputy Superintendant of Police,
O/o. Deputy Superintendant of Police,
Kumbakonam,
Thanjavur District.

2.Inspector of Police,
Kumbakonam East Police Station,
Kumbakonam,
Thanjavur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to permit the petitioner to organize and conduct a prayer meeting between 10.00 a.m, to 11.00 a.m, on 30.08.2017 and in the subsequent years to commemorate the Memorial Anniversary of late Thiru G.K.Moopanar near the Mahatma Gandhi Statue, Near Uchi Pillayar Koil, Sarangapani East Street, Kumbakonam, Thanjavur District.

For Petitioner :Mr.Gnanadesigan Senior Counselfor
Mr.K.K.Senthil Velan

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 to permit the petitioner to organize and conduct a prayer meeting between 10.00 a.m, to 11.00 a.m, on 30.08.2017 and in the subsequent years to commemorate the Memorial Anniversary of late Thiru G.K.Moopanar near the Mahatma Gandhi Statue, Near Uchi Pillayar Koil, Sarangapani East Street, Kumbakonam, Thanjavur District.

<https://hcservices.ecourts.gov.in/hcservices/> the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.



3.The petitioner stated that he is the District President of the Tamil Manila Congress (Moopanar), Thanjavur North. It is stated that in order to commemorate the 15th memorial anniversary of the great leader late Thiru.G.K.Moopanar, he gave a representation to the respondents on 05.08.2017 to grant permission to conduct a prayer meeting on 30.08.2017, near Mahatma Gandhi Statue, Near Uchi Pillayar Koil, Sarangapani East Street, Kumbakonam, Thanjavur District by putting temporary shamiyana. Though the representation was received on 09.08.2017, no order has been passed till date. In this circumstances the petitioner has approached this Court for appropriate relief as prayed for.

4.The learned Special Government Pleader appearing for the respondents referred to the order passed in W.P.(MD)No.13340 of 2010, wherein, when similar representation was made earlier, the Division Bench of this Court has granted permission to conduct the memorial meeting (prayer meeting) between 8.30 a.m to 9.30 a.m in the same place subject to any conditions as may be found for conducting the prayer meeting without any law and order problem.

5.The learned Senior Counsel relied upon the orders passed by this Court for the subsequent years. The learned Special Government Pleader has no serious objection relating to the permission being granted and concerned that this Court can pass similar order that was passed by the Hon'ble Division Bench in W.P.(MD)No.13340 of 2010.

6.Considering the nature of grievance expressed by the petitioner and the submission of the learned Special Government Pleader this Court pass the following order:

"The respondents 1 and 2 are directed to permit the petitioner to organize and conduct memorial meeting (prayer meeting) between 10.00 a.m to 11.00 a.m. on 30.08.2017 in order to commemorate the 15th memorial anniversary of the great leader late Thiru.G.K.Moopanar, near Mahatma Gandhi Statue, Near Uchi Pillayar Koil, Sarangapani East Street, Kumbakonam, Thanjavur District."

7.The learned Senior counsel has made a special request in this case that the order passed by this Court based on the judgment of Division Bench, as above referred to, may also be directed to be passed by the respondents giving special permission to the petitioner or any other office bearers in future, so that the petitioner need not approach this Court. This request is declined. However, this Court direct the respondents 1 and 2 to consider and pass appropriate orders the representations of the petitioner and pass proper orders on merits and pass appropriate order in accordance with law when similar



application is filed by the petitioner or by any other office bearers of the political party in future.

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

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/True copy/

Sd/-
Assistant Registrar(CO)

Sub Assistant Registrar

To

1. The Deputy Superintendant of Police,
O/o. Deputy Superintendant of Police,
Kumbakonam,
Thanjavur District.

2. Inspector of Police,
Kumbakonam East Police Station,
Kumbakonam,
Thanjavur District.

+1 cc to The Special Government Pleader, Sr. No.74677
+2 cc to Mr.K.K.Senthil Velan, Advocate Sr.No.74559

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SDS SV MMS SAR4 29/08/2017 3P 6C

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