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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.VENUGOPAL

AND

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD)No.18593 of 2017

and

W.M.P. (MD)No.14984 of 2017

Hindu Munnetra Kazhagam,
Represented by its Founder,
K.Gopinath

: Petitioner

-Vs-

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

2.The Inspector of Police,
Y.Othakadai Police Station,
Madurai District.

3.The Popular Front of India,
Madurai Head Office,
No.142, North Veli Street,
Near Moon Auto Consultancy,
Simmakkal, Madurai-625 001.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents 1 and 2 to forbear the third respondent from conducting pary conference on 07.10.2017 in the ground, situating in Opposite to the Madurai Agriculture College, Y.Othakadai, Madurai District based on the petitioner's representation dated 02.10.2017.

For Petitioner : Mr.K.Gopinath,
Party-in-Person

For Respondents 1&2 : Mr.B.Pugalendhi,
Additional Advocate General,
Assisted by,
Mr.M.Govindan,
Special Government Pleader

For Respondent No.3 : Mr.S.AS.Alaudeen

**ORDER**

[Order of the Court was made by **M.VENUGOPAL, J.**]

Mr.B.Pugalendhi, Learned Additional Advocate General, takes notice for the Respondents 1 and 2. Mr.S.AS.Alaudeen, learned Counsel, takes notice for the Respondent No.3.

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2. The Petitioner/Kazhagam has preferred the instant Writ Petition before this Court seeking to direct the Respondent Nos.1 and 2 to forbear the Respondent No.3 from conducting party conference on 07.10.2017 in the ground, situated opposite to Madurai Agriculture College, Y.Othakadai, Madurai District, based on his representation dated 02.10.2017.

3. This Court has heard the Petitioner's Founder K.Gopinath, who appears in person and also the Learned Additional Advocate General for the Respondents 1 and 2 and the Learned Counsel for the Respondent No.3.

4. According to the Petitioner, the third Respondent is to conduct its party conference on 07.10.2017 in the ground situated opposite to Madurai Agriculture College, Y.Othakadai, Madurai District. The stand of the Petitioner is that the place is a highly traffic and sensitive one and if permission is granted to the third Respondent to conduct the conference in question, then the free flow of traffic will be affected by huge extent. Apart from that, in the said conference to be conducted on 07.10.2017, more than 20,000 persons are expected to gather and if the permission is accorded, then it would cause hindrance to the general public.

5. It is not in dispute that the Petitioner/Kazhagam made a representation to the second Respondent on 02.10.2017 and requested the second Respondent/Inspector of Police, Y.Othakadai Police Station, Madurai District, not to grant any permission to the party conference of the third Respondent.

6. The grievance of the Petitioner is that the Respondents 1 and 2 had not considered the representation dated 02.10.2017 nor taken any appropriate action for ensuring law and order. Therefore, the Petitioner is performed to file the present Writ Petition.

7. At this juncture, the learned Additional Advocate General appearing for the Respondents 1 and 2 brings it to the notice of this Court that based on the representation of the third Respondent dated 21.09.2017, the Deputy Superintendent of Police, Oomachikulam Sub-Division, through her proceedings dated 04.10.2017, had granted permission to the third Respondent to conduct the conference in question on 07.10.2017 imposing as many as 19 conditions.

8. In view of the fact that the third Respondent was granted with necessary permission by the Deputy Superintendent of Police, Oomachikulam Sub-Division, as per proceedings dated 04.10.2017, to



conduct the conference in question on 07.10.2017, this Court closes the present Writ Petition as nothing survives for adjudication. No costs. Consequently, the connected Miscellaneous Petition is also closed.

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Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

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

2.The Inspector of Police,
Y.Othakadai Police Station,
Madurai District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No.82089

SML

JS/SKN.RSK/SAR.1/24.10.2017/3P-4C

Order made in
W.P. (MD) No.18593 of 2017
Dated: 06.10.2017