

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.03.2018
CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

W.P.No.4256 of 2018

O.S.Arunsankar

.. Petitioner

Vs

1. The Inspector of Police,
Omalur Police Station,
Salem District.

2. The Superintendent of Police,
Salem District - 636 002.

. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus to direct the first respondent to grant permission to hold, organize and conduct public meeting on 26.02.2018, at Open Grounds, near Omalur Bus Stand, Salem and to provide necessary protection and bundobust required for the meeting, based on the representation dated 13.02.2018.

For Petitioner : Mr.N.Raja Senthoo Pandian

For Respondents : Mr.D.Raja,
Additional Government Pleader

O R D E R

The petitioner, who claims to be a Secretary of AIADMK party of the faction headed by Mr.T.T.V.Dhinakaran and Mrs.V.K.Sasikala, had given a representation for permission to conduct a public meeting for commemorating the birth anniversary of Former Chief Minister Dr.J.Jayalalitha on 30.12.2017 to the respondents herein, seeking for police protection and since the permission was not given in time, the present Writ Petition has been filed.

2. The petitioner herein has produced the acknowledgement copy of the complaints dated 13.02.2018 given to both the respondents herein. Though the respondent had received the representation, it was not appropriate on their part to keep the same pending till the scheduled date. I do not find any justification on the part of the respondents of having kept the representation pending till the scheduled dated and thereby making the request infructuous.

3. Nevertheless, the learned counsel for the petitioner would submit that they are still willing to celebrate the function to commemorate the birth anniversary, on any other date that may be fixed by this Court. In my view, it would be appropriate to permit the petitioner herein to celebrate the function and consequently direct the respondents to extend the necessary protection.

4. In the result, the petitioners are permitted to conduct the public meeting on 07.04.2018 to commemorate the birth anniversary of Former Chief Minister Dr.J.Jayalalitha and while conducting such a public meeting, the second respondent herein shall endeavour to extend adequate police protection to ensure that the meeting is held peacefully.

5. In this connection, the petitioner is granted liberty to approach the second respondent seeking for necessary protection and on receipt of such application, the second respondent shall grant necessary permission for conducting the public meeting on 07.04.2018. It is always open to the second respondent to impose reasonable restriction while granting such permission.

6. With the above observations, the Writ Petition stands allowed. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
Omalur Police Station, Salem District.

2. The Superintendent of Police, Salem District - 636 002.

3. The Public Prosecutor High Court Madras.

+2cc to Mr.U.Chandramouli, Advocate, S.R.No.22172

WP.No.4256 of 2018

SJ(CO)
RRK(28/03/2018)