

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :28.03.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.No.6312 of 2018 &
W.M.P.No.7805 of 2018

M.Sreela

.. Petitioner

Vs.

1.The State of Tamilnadu,
Represented by the Director General of Police,
Dr.Radhakrishnan Salai, Mylapore, Chennai - 600 004.

2.The State of Tamilnadu,
Represented by the Commissioner of Police, Chennai City,
No.132, Commissioner Officer Building,
EVK Sampath Road, Vepery,
Periyamet, Chennai - 600 007.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus to direct the respondents to accord protection to Voyage scheduled in the name and style "March for Secularism" between 21st and 30th March 2018 and permission to use microphone and speaker in the canter used in the voyage and in the event of delay to accord the same to any future date.

For Petitioner : Mr.N.G.R.Prasad,
for Mr.V.Ajoy Khose

For Respondents : Mr.N.Vijaya Narayanan,
Advocate General,
Assisted by
Mr.D.Raja,
Additional Government Pleader

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ORDER

The prayer in the present petition is to accord protection to Voyage scheduled in the name and style of "March for Secularism" between 21st and 30th March 2018 and permission to use

microphone and speaker in the canter used in the voyage and in the event of delay to accord the same to any future date.

2. Heard Mr.N.G.R.Prasad learned counsel for the petitioner as well as Mr.N.Vijaya Narayanan, learned Advocate General for the respondents.

3. The petitioner claims to be an Individual Social Activists who patronize and profess Secular Ideology and has decided to run a voyage across Tamil Nadu through several cities and hold public meetings at each city. The petitioner has named the voyage as "March for Secularism". In this connection, they had given a representation dated 05.03.2018. While the Commissioner of Police, Chennai had rejected the said representation, the permission insofar as other districts were kept pending and this insisted the petitioner to file the present Writ Petition.

4. According to the learned counsel for the petitioner, there are about 40 to 50 participants in this voyage involving educationalists, students and other members from various disciplines. Learned counsel submits that the voyage shall be conducted in a peaceful manner and that their intention is only to campaign the Ideologies of Secularism.

5. Today, when the matter was called, learned Advocate General submitted that in case, the petitioner gives a fresh representation setting forth the route through which they intend to have this voyage, across Tamil Nadu, specifying the places where they intend to have the meeting and probable dates of the travel as well as the meeting, the same would be considered after obtaining reports from the concerned districts.

6. Learned counsel for the petitioner submits that they are willing to give such a representation indicating the route as well as the meeting place.

7. In view of the submission made by the learned Advocate General as well as the learned counsel for the petitioner, the petitioner is granted liberty to approach the first respondent herein with a representation, setting forth the route through which they intend to have the voyage, along with the dates and the places where they intend to conduct the meetings. On receipt of such a representation, it is open to the first respondent to impose reasonable restrictions in order to regulate the voyage and ensure that the voyage is conducted in a peaceful manner. It is made clear that the reasonable restrictions should not be an embargo for conduct of the rally itself. The first respondent herein shall endeavour to pass favourable orders within five

days from the date of receipt of a copy of the petitioner's representation.

8. With the above observations and directions, the Writ Petition stands disposed of. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Asst.Registrar (CS IX)

/true copy/

Sub Asst. Registrar

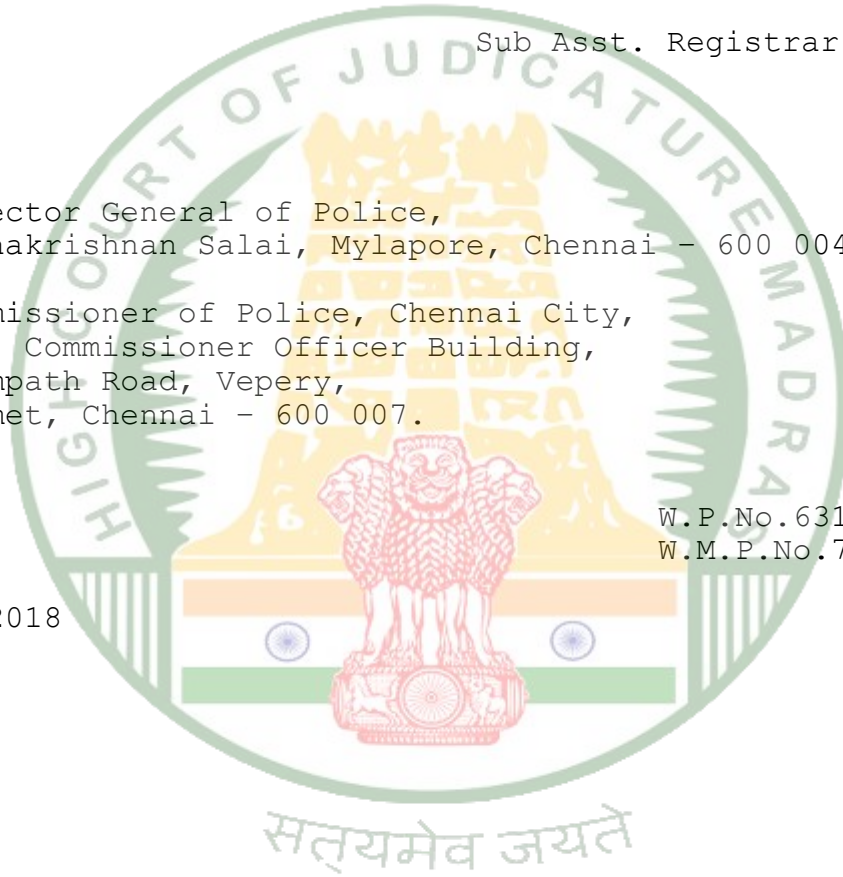
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To

- 1.The Director General of Police,
Dr.Radhakrishnan Salai, Mylapore, Chennai - 600 004.
- 2.The Commissioner of Police, Chennai City,
No.132, Commissioner Officer Building,
EVK Sampath Road, Vepery,
Periyamet, Chennai - 600 007.

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