

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

W.P.No.20611 of 2018
AND W.M.P.No.24226 of 2018

Chengam G.Kumar,
S/o.Govindan,
District President,
Tiruvannamalai District Congress Committee [South],
No.45, Kosamadai Street,
Tiruvannamalai,
Tiruvannamalai District 606 601. .. Petitioner

Vs

The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Tiruvannamalai Town,
Tiruvannamalai District. .. Respondent

Writ Petition filed under Article 226 of The Constitution of India, praying for issuance of Writ of Certiorarified Mandamus or any other appropriate Writ or Order in the nature of a Writ, to call for the records on the file of the respondent herein vide his proceedings in Na.Ka.No. 140/Kaa.Vu.Ka/T.Malai Town/2018 and quash the impugned order dated 03.08.2018 passed therein and further for a direction, directing the respondent herein to permit the petitioner to conduct a protest/demonstration on 13.08.2018 in front of the O/o.The Revenue Divisional Officer [Taluk Office], Tiruvannamalai Town, Tiruvannamalai District in view of the petitioner's representation dated 03.08.2018.

For Petitioner : Mr.J.Ashok

For Respondent : Ms.M.Prabhavathi, APP

O R D E R

The petitioner is the District President of Tiruvannamalai District Congress Committee [South] and on behalf of the Congress party, he gave a representation dated 03.08.2018 to the Deputy Superintendent of Police, Tiruvannamalai, seeking permission to hold a protest/demonstration in front of the RDO's office on 13.08.2018, which has been declined by the Police, by the impugned order dated 03.08.2018, challenging which, the petitioner is before this Court.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor.

3.Today, Mr.K.Anbazhagan, SSI, Tiruvannamalai Town Police Station, Tiruvannamalai is present before this Court.

4.On a reading of the impugned order dated 03.08.2018, it appears that regulatory orders under Section 30[2] of the Police Act is in force from 01.08.2018 to 31.08.2018. That apart, the place where the RDO office is located is a crowded place and if any demonstration is held, it will lead to obstruction of traffic and will affect the public adversely. It is common knowledge that Tiruvannamalai is a famous Temple town, which attracts thousands of devotees everyday. Therefore, the impugned order refusing permission to conduct demonstration near the RDO's office cannot be said to be illegal. However, the District Administration has earmarked a place near Anna statue in Tiruvannamalai for such public meetings.

5.Hence, this petition is closed with liberty to the petitioner to give a fresh application seeking permission to conduct the demonstration near Anna statue in Tiruvannamalai and on such application being given, the same shall be favourably considered in accordance with rules. It is open to the authorities to impose lawful restrictions to ensure that there is no outbreak of violence. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-v)

//True Copy//

Sub Assistant Registrar

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To

The Deputy Superintendent of Police,
O/o.The Deputy Superintendent of Police,
Tiruvannamalai Town,
Tiruvannamalai District.

+1 cc to Mr.J.Ashok Advocate SR.NO. 54923

W.P.No.20611 of 2018

ASK(10/08/2018)