

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2018

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.6933 of 2018
and
Crl.M.P.No.3582 of 2018

S.Gowsalya ... Petitioner

Vs

1. State rep. by
The Superintendent of Police,
O/o. Superintendent of Police,
Thiruppur District,
Thiruppur.
2. The Inspector of Police,
Madathukulam Police Station,
Madathukulam,
Thiruppur District. ... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. directing to grant permission to commence the program of Sankar Social Justice Trust on 13.03.2018 at the venue nearby Kumaralingam bus stop pursuant to the petitioner representation dated 02.03.2018 and 05.03.2018.

For Petitioner : Mr.R.Thirumoorthy

For Respondent : Mrs.Kritika Kamal.P
Government Advocate (Crl. Side)

ORDER

The prayer sought for in the present petition is to grant permission to commence the program of Sankar Social Justice Trust on 13.03.2018 at the venue nearby Kumaralingam bus stop pursuant to the petitioner representation dated 02.03.2018 and 05.03.2018.

2 Heard, Mr.R.Thirumoorthy, the learned counsel appearing for the petitioner and Mrs.P.Kritika Kamal, learned Government Advocate (Crl. Side) appearing for the respondents.

3 The only reason on which the petitioner's request to conduct a public meeting at Kuttai, Udumalaipettai, Thiruppur District was rejected is that there is a likelihood of law and order problem. On this issue, this Court as well as the Hon'ble Supreme Court in various cases have held that the conduct of peaceful meeting is a fundamental right and therefore, the respondents cannot deny permission on the reason that there is a likelihood of law and order problem.

4 It is needless to point out that if at all, there is any likelihood or a situation of law and order, it is the duty of the respondent police to safeguard the situation and keep it under control. In this background, I am of the view that the petitioner is entitled to be granted permission for conducting such a meeting. However, the meeting shall be done in a peaceful manner, without affecting any sections of the society. The respondent police would also be entitled to impose reasonable restrictions for the purpose of granting permission.

5 In the result, the Criminal Original Petition stands allowed. The petitioner is granted liberty to approach the respondent police seeking permission for conducting a public meeting at Kuttai, Udumalaipettai, Thiruppur District on 13.03.2018 between 05.00 p.m and 9.00 p.m. On receipt of such application, the second respondent police shall positively grant permission with reasonable restrictions. Such an exercise shall be endeavoured to be made on the same day of the application. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-V)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

dh

To

1. The Superintendent of Police,
O/o. Superintendent of Police,
Thiruppur District,
Thiruppur.

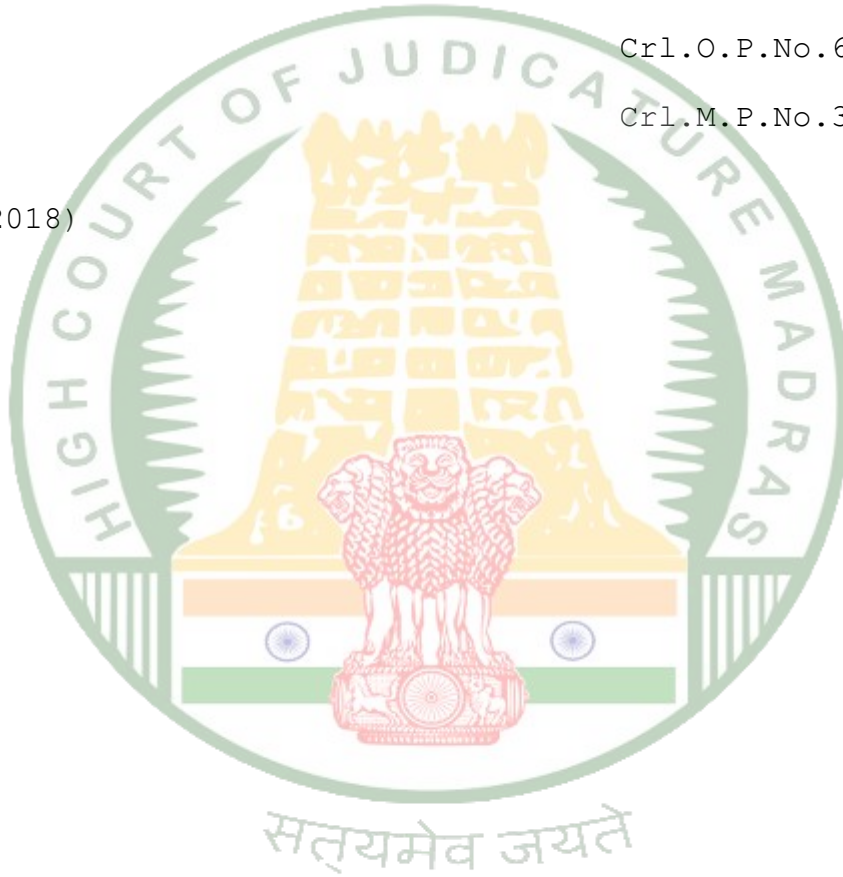
2. The Inspector of Police,
Madathukulam Police Station,
Madathukulam,
Thiruppur District.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.THIRUMOORTHY, Advocate, S.R.No. 18587

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and
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TR(12/03/2018)



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