

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.10.2018

CORAM:

THE HON'BLE MR. JUSTICE P.N. PRAKASH

W.P. No.25769 of 2018

C. Padmanabhan
Coordinator
Kovai Makkal Medai
No.127, Somasundara Mill Road
Anuparpalayam
Coimbatore 641 009

..Petitioner

vs.

- 1 The Commissioner of Police, Coimbatore
- 2 The Deputy Commissioner of Police (Law & Order)
Coimbatore
- 3 The Inspector of Police (Law & Order)
C-4, Rathinapuri Police Station
Coimbatore

...Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus calling for the production of the records relating to the order dated 27.09.2018 made in Na.Ka.No.973/A/Kaa.Du.Aa/Sa.O/Ko.Ma/2018 passed by the second respondent and quash the same and direct the respondents to permit the petitioner to hold public meeting on behalf of Kovai Makkal Medai on 02.10.2018 or any other subsequent date.

For petitioner : Mr. S. Senthilnathan

For respondents : Mr. C. Raghavan
Government Advocate (Crl. Side)

ORDER

The petitioner addressed a representation dated 20.09.2018 to the third respondent seeking permission to hold a public meeting on the topic "We will protect secularism" on 02.10.2018 on the occasion of Gandhi Jayanthi at Sivananda Colony, Coimbatore, which representation has been rejected by the third respondent vide order dated 27.09.2018, challenging which, this writ petition has been filed.

2 Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondents/State.

3 The learned counsel for the petitioner submitted that permission sought by the petitioner to conduct public meeting has been denied by the third respondent on the ground that, if public meeting is permitted to be conducted, then, free flow of traffic will be disturbed and the general public would be put to inconvenience, leading to law and order problem.

4 However, according to the learned counsel for the petitioner, the authorities have permitted the ruling party to hold a public meeting at the same venue on 25.09.2018 at 3.30 p.m., whereas, in the case of the peittioner, Gandhi Jayanthi, being a public holiday, the possibility of traffic bottleneck being caused, will be remote. He also contended that the petitioner is ready and willing to hold the public meeting in any other place, if the particular venue has already been allotted to some other person/organisation.

5 Per contra, the learned Government Advocate (Crl Side) refuted the contentions.

6 There appears to be much force in the submissions of the learned counsel for the petitioner, inasmuch as the police have permitted the ruling party to conduct a public meeting on 25.09.2018 at the same venue, whereas, permission has been denied to the petitioner on the aforesaid grounds.

7 According to the petitioner, leaders from various political parties including Mr. P. Chidambaram, former Finance Minister of India, are likely to speak on the occasion.

8 Given the facts and circumstances of the case, the impugned order dated 27.09.2018 passed by the third respondent is quashed and this writ petition is allowed with a direction to the respondents to grant necessary permission to the petitioner to conduct the public meeting. If the police have allotted the venue in question to any other person/organisation, an alternative place may be allotted to the petitioner for conducting the public meeting. Costs made easy.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

cad

To

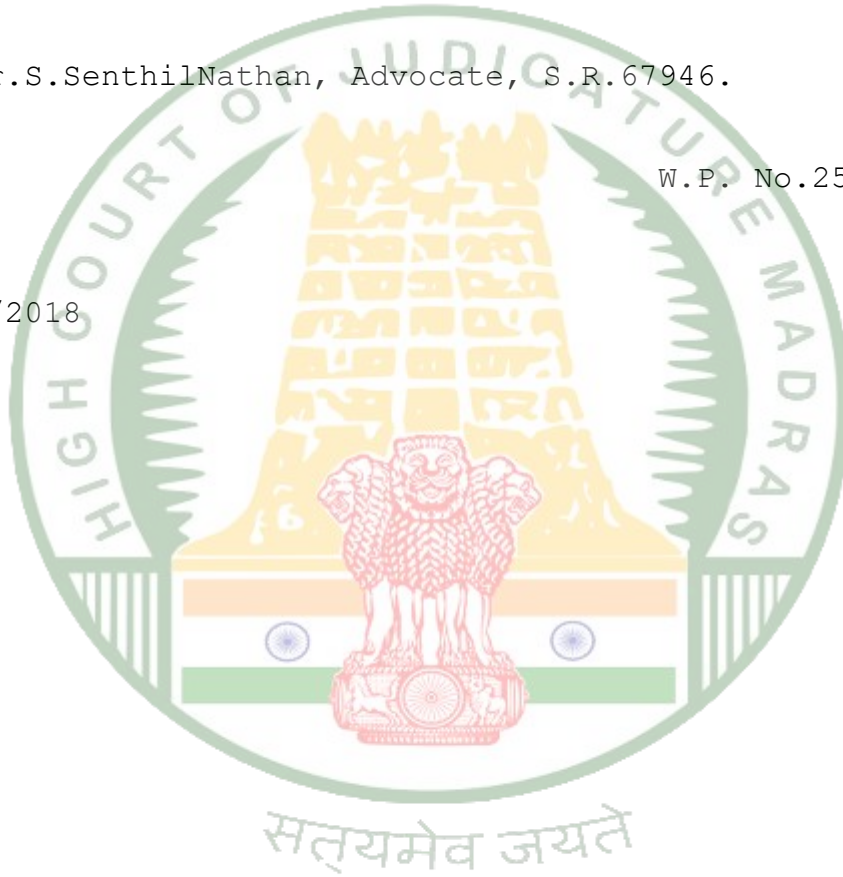
1. The Commissioner of Police
Coimbatore
2. The Deputy Commissioner of Police (Law & Order)
Coimbatore
3. The Inspector of Police (Law & Order)
C-4, Rathinapuri Police Station
Coimbatore

+1cc to Mr.S.SenthilNathan, Advocate, S.R.67946.

W.P. No.25769 of 2018

NMI (CO)

rrs 01/10/2018



WEB COPY