



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.11.2018

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.31647 of 2018

and

W.M.P.Nos.36886 and 36888 of 2018

K.K.Panchamurthy

... Petitioner

Vs.

1.The Superintendent of Police,
Villupuram District.

2.The Deputy Superintendent of Police,
Villupuram District.

3.The Inspector of Police,
Ulundurpet,
Villupuram District.

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, to call for the records of the second respondent in proceedings No.375/Mugam/U.Po/2018 dated 26.11.2018 quash the same consequently direct the respondents to give permission to conduct meeting on 29.11.2018 at Ulundurpert Manikoundu Thidal.

For Petitioner

: Mr.R.Senthil Kumar

For Respondents

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

O R D E R

This writ petition has been filed challenging the order passed by the second respondent rejecting the permission to the petitioner to conduct the meeting on 29.11.2018 at Ulundurpert Manikoundu Thidal, Villupuram District.



2.The learned counsel for the petitioner would submit that the petitioner is a practicing advocate and he is the president of Makkal Vidudhalai Kazhagam. The said organization wanted to conduct a Public meeting in order to create awareness to take action against the persons, who were involved in killing innocent Tamilians at Srilanka and to probe the war crime committed at Srilanka.

3.The learned counsel for the petitioner would submit that several children, women and elders died due to the Genocidal attack on the part of the Srilankan Army.

4.The learned Government Advocate would submit that the permission was rejected mainly on the ground that the petitioner wanted to support LTTE, which is a banned organization. That apart it was also rejected on the ground that there is already a prohibition order under Section 30(2) of the Police Act. The learned Government Advocate would further submit that permitting the meeting to be held, will unnecessarily give raise to law and order problem. Therefore, the learned counsel would submit that the second respondent had rightly rejected the permission to the petitioner.

5.The learned counsel for the petitioner in reply would submit that the meeting is not conducted in order to support any banned organization and the very purpose of the meeting is to impress upon taking action against the Srilankan Army for committing genocidal attack against the innocent Tamilians at Srilanka. In the meeting no one will express any views about any organization and it will confine itself to support only the innocent Tamilians, who were killed in Srilanka.

6.In view of the specific stand taken by the learned counsel for the petitioner, this Court is of the considered view that permission can be granted for conducting the meeting. The petitioner is directed to give a specific undertaking before the second respondent police stating that no one will speak any thing about the banned organization viz., LTTE. A further undertaking shall be given that the only focus of the meeting is to impress upon taking action against the persons, who were responsible for the genocidal attack at Srilanka against the innocent Tamilians.

7.The second respondent police on receipt of the undertaking given by the petitioner, shall permit the petitioner to conduct the meeting on 29.11.2018 between 06.30 p.m., to 09.00 p.m., at Ulundurpet Manikoundu Thidal, Villupuram District. It is left open to the second respondent to impose any reasonable condition for conducting the meeting and the petitioner is bound to comply with the same. The second respondent shall ensure that the



conditions are not violated and shall ensure that the public meeting goes in a peaceful manner without giving raise to any law and order problem. It is open to the second respondent to take immediate action against the persons, who attempts to cause any law and order problem in the meeting venue.

8. In the result, this writ petition is allowed to the extent indicated above and the impugned order passed by the second respondent is hereby set aside. No costs. Consequently, W.M.P.Nos.36886 and 36888 of 2018 are closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

1. The Superintendent of Police,
Villupuram District.
2. The Deputy Superintendent of Police,
Villupuram District.
3. The Inspector of Police,
Ulundurpet,
Villupuram District.
4. The Public Prosecutor,
High Court,
Madras.

+1cc to Mr.S.N.Subramani, Advocate, S.R.No.81891

W.P.No.31647 of 2018

and

W.M.P.Nos.36886 and 36888 of 2018

BR(CO)
GSP(29/11/2018)