

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2018

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.32912 of 2018

T.Velmurugan

... Petitioner

-vs-

The Commissioner of Police,
Chennai Metropolitan Police,
Chennai.

... Respondent

Prayer: Writ Petition filed under Section 226 of the Constitution of India, Writ of Certiorarified Mandamus to call for the records of the respondent in No.1682/Tha.P.2/2018 dated 05.12.2018 and quash the same as illegal and consequently direct the respondent to grant permission to petitioner to conduct a Continuous Hunger Strike (only 7 persons) from 8.12.2018 onwards near Chepauk guest house, Chennai.

For Petitioner : Mr.K. Gandhi Kumar

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

O R D E R

This petition has been filed challenging the order passed by the respondent dated 5.12.2018, refusing to grant permission to the petitioner to conduct hunger strike from 8.12.2018 onwards.

2 A reading of the impugned order shows that when the earlier permission was granted on 26.9.2018, certain conditions were imposed for the total number of participants who can attend the meeting. When the petitioner was permitted to have 100 persons in the meeting, the petitioner had permitted 1500 persons attend the meeting and it has caused a huge problem to the respondent police to manage the crowd. That apart during the previous meeting, the petitioner had raised certain controversial issues pertaining to the banned organisation and this went beyond the scope of the purpose for which the permission was sought for by the petitioner. This apart there is also an FIR pending in Crime No.644 of 2018, in view of the several offences that were committed during the previous meeting.

3 This Court does not find any infirmity or illegality in the order and the respondent was perfectly right in denying the permission to the petitioner to conduct the hunger strike. The moment a person violates any conditions imposed during the previous meeting, this Court will be very strict in considering the permission for the subsequent meeting. Right of freedom of expressions always carries with it reasonable restrictions. If persons are going to violate the restrictions and cause hardship to the general public, the police will have to be very strict while considering granting permission for the subsequent meeting. This applies to all political parties.

4 This Court is not able to find any grounds to entertain this writ petition and accordingly, this Writ petition stands dismissed. No costs.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

mpa/rpl

To

1.The Commissioner of Police,
Chennai Metropolitan Police,
Chennai.

2.The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.K. Gandhi Kumar, Advocate sr 85330.

सत्यमेव जयते

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EV(CO)
SP(10/01/2019)