



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 30.01.2018

CORAM

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

WEB COPY

W.P. (MD) No.1747 of 2018

Kamal

...Petitioner

-Vs-

The Inspector of Police,
Bazaar Police Station,
Ramanathapuram.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order in Na.Ka.No.6/B2PS/Forcost/RMD/2018 dated 27.1.2018 passed by the Respondent police and quash the same and consequently directing the Respondent to grant permission and to provide police protection to conduct the 'Meeting' on 31.1.2018 at 5.00 p.m., at Aranmanai, Ramanathapuram.

For Petitioner	:Mr.R.Vinothkumar
For Respondent	:Mr.N.Shanmugaselvam
	Additional Government Pleader

ORDER

This writ petition has been filed to quash the impugned order in Na.Ka.No.6/B2PS/Forcost/RMD/2018, passed by the respondent dated 27.01.2018 and consequently direct the respondent to grant permission and to provide police protection to conduct the 'Meeting' on 31.1.2018 at 5.00 p.m., at Aranmanai, Ramanathapuram..

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondent.

3.The learned counsel appearing for the petitioner has submitted that the petitioner is the Secretary of AIADMK (Amma Ani), Town Youth Secretary of Ramanathapuram. He further submitted that the petitioner and his political party have decided to conduct a meeting against the escalation of Bus Fare on 31.01.2018 at Aranmanai, Ramanathapuram. He further submitted that he gave a petition to the respondent seeking permission to conduct the said meeting, but the respondent has rejected the petitioner's petition by the impugned order, stating that already, a meeting was conducted by the petitioner's party on 19.01.2018 and on that date, some of the speakers have used defamatory words against the Former Chairman of the Municipality and others. Hence, three complaints were received and now, if permission is granted to the petitioner



for conducting the meeting on 31.01.2018, there is a possibility of rioting between the two groups and hence, he rejected the petitioner's petition. He further submitted that the reasons stated in the impugned order are not valid reasons and if really any untoward incident has taken place in the previous meeting, the respondent would have registered a case and instead of that, he himself stated only a CSR has been issued. He further submitted that the petitioner's party will conduct the meeting only to create awareness among the people with regard to the escalation of Bus Fare in a peaceful manner and hence, he requests for quashing of the impugned order and direct the respondent to grant permission.

4. The learned Additional Government Pleader has submitted that since in the previous occasion, the petitioner's party members have indulged in using defamatory words against the some of the local leaders, complaints have been received by the respondent and if permission is granted, there is a possibility of rioting between the two groups and law and order problem will also arise.

5.A perusal of the impugned order shows that based on the complaints given by some persons, the respondent has issued only CSR.. If really the allegations made in the said complaints are serious in nature, the respondent would have registered a case, but he has not registered a case so far and that itself shows that no serious allegation has been made in the complaints. Further, the petitioner wants to conduct the meeting in a peaceful manner with regard to escalation of Bus Fare.

6. Therefore, the petitioner is directed to submit a fresh application before the respondent on or before 31.01.2018 along with an undertaking affidavit stating that no untoward incident will occur and on such submission of application and undertaking affidavit, the respondent has to consider and pass appropriate order, by imposing reasonable restrictions.

7. With the aforesaid observation, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (Writs)

/True copy/

Sub Assistant Registrar

To
The Inspector of Police,
Bazaar Police Station,
Ramanathapuram.

+1cc to Mr.R.Vinothkumar, Advocate, SR.44924

W.P. (MD) No.1747 of 2018
30.01.2018