



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.01.2018

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THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

W.P(MD) No.870 of 2018

V.Anbalagan

... Petitioner

-Vs-

1. The Superintendent of Police,
Madurai District, Madurai.

2. The Inspector of Police,
Nagamalai Pudukkottai Police Station,
Madurai District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying to issue writ of mandamus to direct the respondents to grant permission and protection for conducting the Mini Marathan scheduled to be held on 29.01.2018 at about 6.30 a.m at Madurai Kamarajar University Vadapalanji to Kasi Theatre Vadivelkarai as a part of the Ex.Minister Mu.Ka.Alagiri's Birth Day Celebration.

For Petitioner : Mr.S.Pakalavan

For Respondents : Mr.N.Shanmugaselvam
Additional Govt. Pleader

O R D E R

This writ petition has been filed to direct the respondents to grant permission and protection for conducting the Mini Marathan scheduled to be held on 29.01.2018 at about 6.30 a.m at Madurai Kamarajar University Vadapalanji to Kasi Theatre Vadivelkarai as a part of the Ex.Minister Mu.Ka.Alagiri's Birth Day Celebration.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3.The learned counsel appearing for the petitioner has submitted that the petitioner is one of the members of vizha committee for celebrating the birthday of Mu.Ka.Alagiri (Ex.Minister) and the said committee has decided to conduct Mini



Marathan, running race on 29.01.2018 at about 6.30 a.m at Madurai Kamarajar University, Vadapalanji to Kasi Theatre Vadivelkarai. He further submitted that for conducting the aforesaid programme, the petitioner gave a representation to the first respondent on 09.01.2018. But, till filing of this petition, the said representation was not disposed of. Hence, the petitioner has filed the present petition. After filing of this petition, the second respondent has passed an order on 13.01.2018, rejecting the said request. He further submitted that the reasons stated by the second respondent are not tenable. He further submitted that in the previous occasion, on 02.10.2017, the second respondent gave permission to some other person for conducting the same kind of events. But, now for political reason, the second respondent has rejected the petitioner's request.

4.The learned Additional Government Pleader has submitted that the earlier event was conducted on 02.10.2017 and on that date, it was a national holiday. He further submitted that the said event was conducted by the Vice Chancellor with the students and now, the petitioner being a member of a political party, he wants to celebrate his leader's birthday by conducting these kind of programmes on 29.01.2018 i.e a working day for all the educational institutions and if this kind of programme is permitted, it would cause inconvenience to the students and traffic. Hence, the petitioner's request has been rejected on 13.01.2018 by the second respondent and the same has been served on the petitioner on 21.01.2018.

5.Since the earlier programme was conducted by the Vice Chancellor that too on the national holiday, there would not be any hindrance to the students and the educational institutions. The petitioner cannot compare the said order and seek to pass the same kind of order to him also. Since 29.01.2018 is a working day, the petitioner has to change the route or date for conducting the programme. Hence, the petitioner is directed to submit a fresh application to the second respondent on or before 25.01.2018, mentioning the date and route for conducting Mini Marathan and if any such petition is given, then, the second respondent has to consider and pass appropriate order on or before 27.01.2018.

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

Sd/-

Assistant Registrar(RTI)

/True Copy/



To

1. The Superintendent of Police,
Madurai District, Madurai.

2. The Inspector of Police,
Nagamalai Pudukkottai Police Station,
Maduraib District.

+1CC to Mr.S.Pakalavan, Advocate, SR.No. 43907

W.P(MD) No.870 of 2018
24.01.2018

VS

KK/SKN RSK/SAR 4/24.01.2018/3P/4C