



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE C.T. SELVAM
AND
THE HONOURABLE MR.JUSTICE A.M. BASHEER AHAMED

W.P.(MD) No.7179 of 2018
and W.M.P.(MD) Nos.6907 of 2018 and 7203 of 2018

Henry Thomas : Petitioner
Vs.

- 1.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
 - 2.The Assistant Superintendent of Police,
Thoothukudi Town,
Thoothukudi District.
 - 3.The Inspector of Police,
Tenpakkam Police Station,
Thoothukudi District.
- : Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order of the 2nd respondent proceeding in Sae.Mu.Aa.No.GDP-245/U.Ka.A(Nagaram)/Thoodi/18 dated 30.03.2018 quash the same as illegal, consequently direct the respondents to grant police permission and protection for public meeting on 08.04.2018 at about 05.00 p.m. at M.G.R. Thidal (Near VVD Singal), Thoothukudi.

For Petitioner : Mr.Veera Kathiravan Senior Counsel
for Mr.K.Anbarasan
For Respondents : Mr.K.Chella Pandian
Additional Advocate General
Assisted by
Mr.R.Sethuraman
Special Government Pleader

O R D E R

[Order of the Court was made by C.T. SELVAM, J.]

Petitioner informing himself to be District Secretary of a Political Party, had sought permission to conduct agitation by way of public meeting against Sterlite Factory, on 08.04.2018 at 05.00 p.m. at M.G.R. Thidal, Thoothukudi District under representation dated 27.03.2018. Permission was denied under order of the second respondent dated 30.03.2018, giving rise to the present petition.



2. we have heard learned Senior counsel appearing for the petitioner and learned Additional Advocate General appearing for the respondents.

3. The order of this Court in W.P.(MD) No.7358 of 2018, dated 04.04.2018, wherein permission stood granted to another political party on specific conditions, has been produced before this Court. It is also brought to notice that the restriction on the number of persons at 500 came about on information of the petitioner therein that the number of persons likely to assemble was 500.

4. Date for which permission was sought having passed, learned Senior Counsel sought to amend the petition towards seeking permission for the date, 17.04.2018. Learned Additional Advocate General rightly submits that petitioner may move authorities afresh and seek permission and the same would be considered on merits. Learned Senior counsel for the petitioner brings to notice that already representation has been made to the authorities concerned on 10.04.2018.

5. In the circumstances, the authorities concerned shall deal with the representation of the petitioner and pass appropriate orders at the earliest on merits and keeping in mind the order of this Court dated 04.04.2018, in W.P.(MD) No.7358 of 2018. Of course, we would expect the authorities concerned not to merely reproduce the conditions imposed by this Court in such order in a parrot like manner, but to deal with the case of the petitioner solely on merits.

6. Accordingly, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

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

2.The Assistant Superintendent of Police,
Thoothukudi Town,
Thoothukudi District.

3.The Inspector of Police,
Tenpakkam Police Station,
Thoothukudi District.



+1cc to M/S.K.Anbarasan, Advocate SR.No. 60912
+1cc to Special Government Pleader, SR.No. 61187

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Order made in
W.P.[MD].No.7179 of 2018
Dated:
12.04.2018

ia/sj
JM/SV MMS/SAR 1/13.04.2018/3P/6C