



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

WEB COPY

W.P. (MD) No.21543 of 2018
and
W.M.P. (MD) No.19429 of 2018

Karthick

... Petitioner

Vs.

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

2.The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records pertaining the impugned order passed by the 1st respondent through online in his proceedings in complaint ID:HAK1887243 and consequently direct the 1st respondent grant permission to conduct the tribute function for "Veeramangai Kuyili".

For Petitioner : Mr.Manickam
for Mr.R.Manoharan

For Respondents : Mr.N.Shanmugaselvam,
Additional Government Pleader

ORDER

The writ petition has been filed by the State Deputy General Secretary of Adhi Thamilar Peravai, seeking a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the first respondent, Superintendent of Police, Sivagangai District, who in his proceedings, refused to grant permission to conduct tribute function for Veeramangai Kuyili at Sivagangai.

2.It had been stated that Veeramangai Kuyili was the Army Women Commander of the Queen Veeramangai Velu Natchiyar. She had fought against the British East India Company in the 18th Century. It had been stated that Aathi Thamilar Peravai had planned to organise a function as a tribute to Veeramangai Kuyili on 19.10.2018 at Sivagangai Town at about 11.00 am. They have undertaken to conduct the said function in a peaceful manner. They sought permission from the first respondent. The first respondent refused



to grant permission. The first respondent had actually not given any specific reason.

3.It can not be disputed that Veeramangai Kuyili was lady of immense stature and a function to honour her would only be in order and a responsibility is cast on the respondents to ensure that the function is conducted. I am not able to understand the rationale behind refuse to grant permission. It would not be in the interest of society to throttle freedom when representation is submitted seeking to organise such a function, unless, specific reasons are granted to refuse them.

4.In view of the above reasoning, the writ petition is allowed and the respondents are directed to grant necessary protection during the function scheduled to be held on 19.10.2018 by the Athi Thamilar Peravai. The petitioner should also undertake in writing that they would not indulge in any activity adversely affecting the general public. They should not put up any flex board or banner criticizing any community or political personalities. They should not take out processions. The organisers of the function and to give an undertaking that they would not cause loss or damage to public property and that the public peace and tranquillity would be maintained. The respondents are at liberty to impose any other conditions as they deem fit.

5.With the above observations, the Writ Petition is allowed and the impugned order passed by the respondents police is quashed. No costs.consequently connected miscellaneous petition is closed.

Sd/-
Vacation officer

/True Copy/

Sub Assistant Registrar(CS-IV)

To

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

2.The Inspector of Police,
Sivagangai Town Police Station, Sivagangai.

+1CC to Mr.R.Manoharan, Advocate, SR.No.90957

+1CC to the Special Government Pleader SR.No.90923

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