



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 11.12.2018

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
W.P. (MD) No.24201 of 2018

A.Justin Valanarasu

... Petitioner

/Vs./

1.The Deputy Superintendent of Police,
Paramakudi,
Ramanathapuram District.

2.The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to consider the petitioner's application dated 02.12.2018 and further to direct the 2nd respondent to allow the petitioner to conduct public meeting on behalf of Student Wing of Naam Thamilar Party on 15.12.2018 from 4 p.m. to 10 p.m Near Lena Marriage Hall, Paramakudi, Ramanathapuram District.

For Petitioner : Mr.V.Rajiv Rusus

For Respondents : Mr.R.Anandaraj

Additional Public Prosecutor

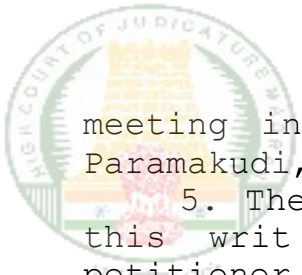
ORDER

This writ petition has been filed seeking a direction to the respondents to consider the petitioner's application dated 02.12.2018 and to allow the petitioner to conduct public meeting on behalf of Student Wing of Naam Thamilar Party on 15.12.2018 from 04.00 p.m to 10.00 p.m near Lena Marriage Hall, Paramakudi, Ramanathapuram District.

2. Heard the learned Counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. The learned Additional Public Prosecutor appearing for the respondents would submit that the place where permission sought for namely, Lena Marriage Hall, Paramakudi, is a very sensitive place and located at National Highway and nearby that place, Five Point junction, number of Schools, Hospitals, Bus-stops, Vegetable-market, Marriage-halls are located and further particular road is a National Highway. He would further submit that if the petitioner takes step for alternative location, the respondents shall consider the same and grant permission.

4. At this juncture, the learned counsel appearing for the petitioner would submit that for the very same place, permission was granted recently to a political party leader and there was a huge crowd and the respondents have not objected at that time. He would however submit that the petitioner is prepared to conduct the public



meeting in an alternative location namely, nearby Gandhi Statue, Paramakudi, Ramanathapuram District.

5. The second respondent has also filed a counter affidavit in this writ petition, opposing the grant of permission to the petitioner.

6. This Court has carefully considered the submissions made on either side.

7. Admittedly, in this case the venue that has been chosen by the petitioner is the venue where such agitations or meetings normally take place. But in an earlier occasion, when a hunger strike had been done, there was a huge crowd. Further, in this case, the petitioner is ready to change the location of the meeting to an alternative place, namely, near Gandhi Statue, Paramakudi, Ramanathapuram and the respondents have agreed for change of venue.

8. In the facts and circumstances of the case, this Court is inclined to direct the second respondent to grant permission to the petitioner to conduct a public meeting at the venue of near Gandhi Statue, Paramakudi, Ramanathapuram District. Accordingly, the second respondent is directed to grant permission to the petitioner to conduct public meeting on 15.12.2018 from 04.00 p.m to 10.00 p.m at the venue of near Gandhi Statue, Paramakudi, Ramanathapuram District. The petitioner is directed to give an undertaking affidavit mentioning that they will not violate any of the conditions imposed on them by the respondent police. It is left open to the second respondent to impose any reasonable conditions, for the purpose of giving such permission to the petitioner and the petitioner is duty bound to comply with the conditions without fail. If the petitioner or the member belonging to his party violate any of the conditions imposed by the second respondent, it is left open to the second respondent to take action in accordance with law.

9. The writ petition is disposed of with the above direction. No costs.

Sd/

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar(CS-I)

To

1. The Deputy Superintendent of Police,
Paramakudi,
Ramanathapuram District.

2. The Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District.

+1cc to Mr.V.RAJIV RUFUS, Advocate, SR.No.99990

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