



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.05.2018

CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

Crl.O.P(MD).No.8317 of 2018

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C.Gurunathan Poosari

... Petitioner

Vs

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

2.The Inspector of Police,  
Rajapalayam South Police Station,  
Virudhunagar District.

... Respondents

**Prayer:** Petition filed under Section 482 Cr.P.C to direct the respondents particularly the 2nd respondent to provide adequate police protection to conduct general body meeting in the Arulmighu Gurusamy Samathu, Rajapalayam, Virudhunagar District on any date as may be fixed by this Court.

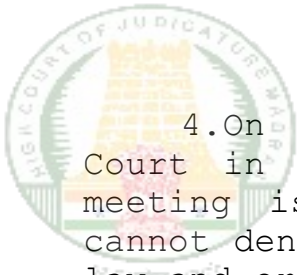
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|-----------------|------------------------------------------------------------------|
| For Petitioner  | : Mr.M.Jegadeesh Pandian                                         |
| For Respondents | : Mr.A.P.G.Ohm Chairma Prabhu<br>Government Advocate (Crl. side) |

#### **ORDER**

This Criminal Original Petition has been filed by the petitioner seeking for a direction to the second respondent to provide adequate police protection to conduct general body meeting in the Arulmighu Gurusamy Samathu, Rajapalayam, Virudhunagar District by considering the representation of the petitioner dated 10.05.2018.

2.The learned counsel for the petitioner submitted that the petitioner has submitted his representation on 10.05.2018 seeking permission for conducting general body meeting in the Arulmighu Gurusamy Samathu, Rajapalayam, Virudhunagar District ting and since no reply has been given by the respondent police, the petitioner has come forward with the present petition.

3.The learned Government Advocate (Crl. side) submitted that the petitioner's representation for conducting general body meeting in the Arulmighu Gurusamy Samathu, Rajapalayam, Virudhunagar District is under consideration. He further submitted that there may be likelihood of law and order problem.



4. On this issue, this Court as well as the Hon'ble Supreme Court in various cases have held that the conduct of peaceful meeting is a fundamental right and therefore, the respondents cannot deny permission on the reason that there is a likelihood of law and order problem.

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5. It is needless to point out that if at all, there is any likelihood or a situation of law and order, it is the duty of the respondent police to safeguard the situation and keep it under control. In this background, I am of the view that the petitioner is entitled to be granted permission for conducting such a meeting. However, the meeting shall be done in a peaceful manner, without affecting any sections of the society. The respondent police would also be entitled to impose reasonable restrictions for the purpose of granting permission.

6. With the above observation and direction, the Criminal Original Petition stands allowed. The petitioner is granted liberty to approach the respondent police seeking permission for conducting general body meeting in the Arulmighu Gurusamy Samathu, Rajapalayam, Virudhunagar District afresh and on receipt of such application, the second respondent police shall positively grant permission with reasonable restrictions. Such an exercise shall be endeavoured to be made on the same day of the application.

Sd/-  
Vacation Officer

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,  
Virudhunagar District,  
Virudhunagar.
2. The Inspector of Police,  
Rajapalayam South Police Station,  
Virudhunagar District.
3. The Additional Public Prosecutor ,  
Madurai Bench Of Madras High Court,  
Madurai.

+1. C.C. to M/S.M.JEGADEESH PANDIAN Advocate SR.No.65838.

GNS

<https://hccs.court.gov.in/> :28.05.2018: 2P/4C

Cr1.O.P(MD).No.8317 of 2018  
17.05.2018