



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.08.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) No.18177 of 2018

G.Pradepan

: Petitioner

Vs.

1.The Commissioner of Police,
Trichy City.

2.The Inspector of Police,
Fort Police Station, (Law and Order),
Trichy City.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the entire records pertaining to the impugned order in Na.Ka.No.40 / Ka.Aa/KoKa.Ni / thi.Ma / 2018 dated 15.08.2018 and quash the same and consequently thereby directing the second respondent to grant permission filed to conduct a fasting protest at Sathiram Bus Stand, Near Anna Statue, Trichy City at about 8.30 AM to 4 PM on 19.08.2018 regarding the "Deletion of Name in Sixth Standard Books namely National Leader Namely Pasumpon Muthuramalinga Thevar as per the representation of the petitioner dated 15/08/2018.

For Petitioner

: Mr.Niranjana Kumar
for M/S.K.M.Karunakaran

For Respondents

: M/s.B.Bhagawathi
Government Advocate

ORDER

This Writ Petition has been filed challenging the order passed by the second respondent rejecting the petition submitted by the petitioner to conduct a fasting protest at Sathiram Bus Stand, Near Anna Statue, Trichy City.

2.The learned counsel appearing for the petitioner would submit that the petitioner and a group of persons belonging to the same community, wanted to show their protest by fasting on the ground that the name of a famous National Leader was deleted from the sixth standard School book. An application was made to the second respondent and the second respondent, by the impugned proceedings dated 15.08.2018, rejected the application, only on the ground that the place, where the proposed protest is planned to be conducted, is



a crowded place and there is no sufficient space to park the vehicles and there are possibilities of traffic jam and it will cause hardship to the general public.

3. The learned counsel appearing for the petitioner further submitted that in the very same place, all the political parties are allowed to conduct meeting / protest and the petitioner was singled out and permission has been rejected by the second respondent without any basis.

4. The learned Government Advocate, on instructions, submitted that it is true that the place, where the proposed protest was planned to be conducted, is regularly used by the political parties to conduct meetings / protest.

5. When other political parties are allowed to use the Sathiram Bus Stand, Near Anna Statue, Trichy City, there is no reason to reject the permission sought for by the petitioner to conduct one day protest.

6. The learned counsel appearing for the petitioner would submit that earlier it was planned to hold the fasting protest on 19.08.2018, however it is now postponed to 22.08.2018.

7. Considering the above submissions, the second respondent is directed to grant permission and provide Police protection to the petitioner for the fasting protest at Sathiram Bus Stand, Near Anna Statue, Trichy City from 08.30 am to 04.00 pm, on 22.08.2018. The Second respondent Police is at liberty to impose such conditions as required for the purpose of ensuring that the general public is not put to any hardship and the protest goes on peacefully without giving raise to any law and order problem.

8. The petitioner is directed to strictly comply with the conditions imposed by the second respondent for the purpose of conducting fasting protest.

9. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1. The Commissioner of Police,
Trichy City.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Inspector of Police,
Fort Police Station, (Law and Order),
Trichy City.

+2cc to M/S.K.M.KARUNAKARAN, Advocate SR.No. 79519

W.P. (MD) No.18177 of 2018
21.08.2018

gns
JM/SKN RSK/SAR 1/21.08.2018/3P/5C