



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.06.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.(MD) No.13178 of 2018

Thirumurugan

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendant of Police,
Ramanathapuram District.

2.The Inspector of Police,
Thirupalaikudi Police Station,
Ramanathapuram District.

...Respondents

Writ petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, to call for the records connected with the impugned order in Na.Ka.No.01/D6PS/TPK/RMD/2018 dated 18.06.2018 on the file of the respondent No.2 and quash the same as illegal, consequently to direct the respondents to permit the petitioner to conduct public meeting near Uppur bus stand Ramanathapuram District on 24.06.2018 by considering petitioner's representation dated 06.06.2018 within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.K.Chellapandian
Additional Advocate General,
assisted by Mr.M.Karuppasamy,
Government Advocate

O R D E R

This Writ Petition has been filed to call for the records in connection with the impugned order in Na.Ka.No.01/D6PS/TPK/RMD/2018 dated 18.06.2018 on the file of the second respondent and to quash the same as illegal, consequently to direct the respondents to permit the petitioner to conduct public meeting near Uppur bus stand Ramanathapuram District on 24.06.2018 by considering the petitioner's representation dated 06.06.2018.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Advocate General appearing for the respondents.



3. According to the petitioner, the petitioner has made a representation before the respondent police on 06.06.2018 to conduct public meeting near Uppur bus stand and the same was rejected by the impugned order dated 18.06.2018. Challenging the same the petitioner is before this Court with the aforesaid prayer.

WEB COPY

4. The learned counsel for the petitioner would submit that the petitioner's representation has been rejected only on the ground that there is likelihood of law and order problem.

5. Now, the learned counsel for the petitioner, on instructions, would submit that if permission is granted to conduct demonstration, the petitioner will abide by the conditions to be imposed by this Court as well as by the respondent police and also requests this Court to grant permission to make a fresh representation to the respondent seeking permission to conduct demonstration.

6. The learned Additional Advocate General appearing for the respondents submitted that if the petitioner submits representation afresh, the same shall be considered on merits and in accordance with law.

7. After hearing the submissions made by both parties, the following order is passed:-

(i) The petitioner shall make a fresh representation to the respondent police today (i.e 21.06.2018) before 08.00 p.m., seeking permission to conduct demonstration.

(ii) The Deputy Superintendant of Police, Thiruvadanai is directed to consider the representation, if any, submitted by the petitioner and pass orders on merits and in accordance with law on or before 23.06.2018.

(iii) Only 100 participants are permitted to participate in the demonstration.

(iv) Particulars of the participants should be annexed with along with the representation to be made by the petitioner.

(v) If permission is granted, the petitioner should abide by the conditions to be imposed by the respondent police.

(vi) The demonstration should not make any hindrance to the general public or traffic in any way.

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

Sd/-

Assistant Registrar (Writs)

/True Copy/

Sub Assistant Registrar



To

1.The Superintendent of Police,
Office of the Superintendant of Police,
Ramanathapuram District.

2.The Deputy Superintendent of Police,
Thiruvadanai.

3.The Inspector of Police,
Thirupalaikudi Police Station,
Ramanathapuram District.

+1cc to M/S.R.Alagumani, Advocate SR.No. 69277

W.P. (MD) No.13178 of 2018

ta

JM/SKN RSK/SAR 1/21.06.2018/3P/5C