



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.07.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.(MD) No.14568 of 2018

and

W.M.P.(MD)No.13135 of 2018

Tamil Nadu Untouchability Eradication Front,
Tamil Nadu State Committee,
Represented by its Genral Manager,
K.Samuelraj

... Petitioner

Vs.

1.The Director General of Police,
Tamil Nadu State,
Chennai-04.

2.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

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

4.The Superintendent of Police,
Madurai District, Madurai.

5.The Commissioner of Police,
Madurai City, Madurai.

6.J.Jeyaraj

...Respondents

(R6 is impleaded vide Court order dated 12.07.2018 in W.M.P.(MD) No.13720 of 2018 in W.P.(MD)No.14568 of 2018)

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents 1 to 5 herein to give permission to the petitioner for conducting peaceful procession (Nadai Payanam) for a period of 5 days (from 14.07.2018 to 18.07.2018) starting from Oraiyur, Ramanathapuram District to Arch Bishop House, Madurai City.



WEB COPY

For Petitioner : Mr.Ajmal Khan,
Senior Counsel
For Mr.S.Bharathy Kannan
For R1 to R5 : Mr.Chellapandian,
Additional Advocate General,
assisted by Mr.M.Karuppasamy,
Government Advocate.
For R6 : Mr.J.William Christopher

ORDER

This Writ Petition has been filed, seeking a direction to the respondents 1 to 5 herein to give permission to the petitioner for conducting peaceful procession (Nadai Payanam) for a period of 5 days (from 14.07.2018 to 18.07.2018) starting from Oraiyur, Ramanathapuram District to Arch Bishop House, Madurai City.

2.Heard, the learned Senior Counsel appearing for the petitioner, the learned Additional Advocate General appearing for the respondents 1 to 5 and the learned counsel appearing for the 6th respondent.

3.The learned Senior Counsel, on instructions, would submit that an opportunity may be granted to the petitioner to make a fresh representation for alternative route i.e., Sivagangai to Madurai and changing the date of procession i.e., 27.07.2018 and 28.07.2018 to the respondents 3 to 5. The learned Senior Counsel also undertakes that the petitioner would comply with the conditions imposed by the respondents for granting permission to conduct procession on the particular dates or any other dates.

4.The learned Additional Advocate General appearing for the respondents 1 to 5 would submit that the representation of the petitioner would be considered, by taking note of the situations and hindrance to the traffic, within a period of three days from the date of receipt of a copy of the said representation, if any undertaking affidavit would be filed before the authorities concerned.

5.In the light of the above, this Court is inclined to pass the following order:-

(i) If any undertaking affidavit is filed on behalf of the petitioner, the respondents 1 to 5 are directed to consider the petitioner's representation and pass appropriate orders, on merits and in accordance with law, after providing opportunities to the parties concerned.

(ii) While considering the representation of the petitioner, the respondents shall take note of the hindrance to the traffic and also disturbance to the public.



(iii) Such an exercise shall be completed, within a period of three days from the date of receipt of a copy of the representation.

6. With these directions, this writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

/True copy/

Sub Assistant Registrar

To

1. The Director General of Police,
Tamil Nadu State,
Chennai-04.
2. The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
3. The Superintendent of Police,
Sivagangai District,
Sivagangai.
4. The Superintendent of Police,
Madurai District, Madurai.
5. The Commissioner of Police,
Madurai City, Madurai.
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.S.Bharathy Kannan, Advocate, SR.No.72822.

W.P.(MD)No.14568 of 2018
12.07.2018

myr

RAM/SV/SAR 2/16.07.2018/3P/8C