



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 13.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.[MD].No.17784 of 2018

Perumal @ Tamil Perumal,
District Secretary,
All India Youth Federation,
Theni District Committee,
No.25/42, K.T.K.Thangamani Illam,
Old TVS Road, Theni 625 531.

: Petitioner

Vs.

1. The Deputy Inspector General of Police,
Office of the Deputy Inspector General of Police,
Dindigul Region, Dindigul.

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

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to grant permission to the petitioner for conducting vehicle campaign for three days from 17.08.2018 to 19.08.2018 and a public meeting on 19.08.2018 between 04.00 PM and 09.00 PM, at V.O.C.Ground, Thevaram, Theni District, based on the representation dated 04.08.2018.

For petitioner : Mr.R.Karunanidhi
For respondents : Mr.K.Saravanan
Government Advocate

ORDER

[Order of the Court was made by M.M.SUNDRESH, J.]

In this Writ Petition, the petitioner seeks a Writ of Mandamus directing the second respondent to grant permission for conducting vehicle campaign for three days from 17.08.2018 to 19.08.2018 and a public meeting on 19.08.2018 between 04.00 PM and 09.00 PM, at V.O.C.Ground, Thevaram, Theni District, based on the representation dated 04.08.2018.

2. In the counter affidavit filed by the second respondent, it has been stated that Neutrino Project itself has been kept in abeyance by the order of this Court as well as the Hon'ble Apex Court. The other political parties had also conducted meetings and as such, there is likelihood of law and order problem.



3. Admittedly, the other political parties had conducted meetings. It is not as if the place chosen by the petitioner is to be necessarily given by the second respondent police to conduct the meeting. Certainly, it is within the jurisdiction of the second respondent to choose the place and impose conditions, including the timing. Issuing of pamphlets is only an expression of one's view to the knowledge of others.

4. Thus, we permit the petitioner to issue pamphlets for three days, from 17.08.2018 to 19.08.2018, starting from 10.00 AM to 05.00 PM, without disturbing the general public. Similarly, permission is given to the petitioner to have meeting on 19.08.2018, between 05.00 PM and 07.00 PM, at Bunglamedu. It is well open to the second respondent to impose reasonable conditions for the smooth conduct of the meeting. The petitioner shall file an affidavit of undertaking before the second respondent indicating the number of participants in the meeting and the number of vehicles to be used in the vehicle campaign. The affidavit of undertaking shall also indicate the compliance of the conditions to be imposed by the second respondent police.

5. The Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

1. The Deputy Inspector General of Police,
Office of the Deputy Inspector General of Police,
Dindigul Region, Dindigul.
2. The Superintendent of Police,
District Superintendent of Police,
Theni District.

+1CC to Mr.R.Karunanidhi, Advocate, SR.No. 78332

+1CC to the Special Government Pleader SR.No. 78518

W.P.[MD].No.17784 of 2018
13.08.2018

NB

ES/RSK/SAR 4/14.08.2018/2P/5C

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