



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2018

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.20320 of 2018

S.Panneer Selvam

... Petitioner

-Vs-

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

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

3.The Inspector of Police,
Periyakulam Vadakarai Police Station,
Periyakulam, Theni District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order in C.No.4/D1PS/2018, dated 20.09.2018 passed by the 3rd respondent herein cancelling the earlier permission and quash the same and consequently direct the respondents to grant permission to conduct public meeting on commemoration of 115th Birth Anniversary of "Perarignar Anna" at Aranmanai Street, near Malligai Mahal in Periyakulam Municipality, Theni on 30.09.2018, based on the petitioner's representation dated 22.09.2018.

For Petitioner : Mr.A.Mithun Chakravarthi

For Respondents : Mr.B.Bhagawathi,
Government Advocate (Crl. Side)

ORDER

This Writ Petition has been filed challenging the order passed by the third respondent, dated 20.09.2018, cancelling the permission granted to conduct the meeting at Maligai Mahal in Periyakulam Municipality.

2.The learned counsel for the petitioner would submit that earlier the third respondent had granted the permission to conduct the meeting on 24.09.2018 by imposing certain conditions and the petitioner also started to make all arrangements to conduct the meeting. Subsequently the third respondent has proceeded to cancel the permission by the impugned proceedings dated 20.09.2018. Aggrieved by the same the petitioner has filed the present writ petition before this Court.



3.The learned Government Advocate on instructions would submit that the third respondent was under the impression that the meeting is going to be attended only by 150 persons. However, subsequently, it came to light that more than 2000 persons will attend the meeting. Therefore, the place at which the permission was granted by the third respondent will not be able to take such a big crowd and that is the reason, the third respondent had cancelled the permission which was earlier granted. The learned Government Advocate would further submit that the petitioner can have the meeting at a place which is nearby the venue suggested by the petitioner, at Lakshmi Puram Main Road, Periyakulam Taluk, Theni District. The learned Government Advocate would further submit that the place that has been suggested by the third respondent police will be able to accommodate a large number of people for the meeting that is proposed to be conducted by the petitioner.

4.The learned counsel for the petitioner would submit that the meeting is now planned to be conducted on 02.10.2018 between 5.00 p.m. to 10.00. p.m.

5.In the facts and circumstances of the case there shall be a direction to the third respondent to give permission and sufficient police protection to the petitioner to conduct the meeting on 02.10.2018 between 5.00 p.m. to 10.00 p.m. at Lakshmi Puram, Main Road, Periyakulam Taluk, Theni District. It is open to the third respondent to impose any reasonable condition for the purpose of ensuring that the meeting goes on peacefully without giving rise to any law and order problem. The petitioner is duty bound to comply with the conditions imposed by the third respondent.

6.Accordingly, this writ petition is disposed of with the above directions.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar(CS-I)

To

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

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



3.The Inspector of Police,
Periyakulam Vadakarai Police Station,
Periyakulam, Theni District.

+1CC TO MR.A.MITHUN CHAKRAVARTHI ADVOCATE IN SR.NO.87636.
+1CC TO SPECIAL GOVERNMENT PLEADER IN SR.NO.87579.

TM

DS SV SAR-1:28.09.2018: 3P/6C

W.P.(MD)No.20320 of 2018