

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.11985 of 2018

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking verbatim the following relief:

“For the reasons stated in the accompanying affidavit filed in support of the present Writ Petition, it is therefore prayed, that this Hon’ble Court may be pleased to issue a Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the unreasonable rejection orders, of Deputy Commissioner of Police, L.B. Nagar, zone, Rachakonda vide No.480/Public-Meeting/DCP-LBNr/RCK/2018 dt.02.04.2018, against the permission/license applications made to conduct a peaceful Public Meeting on 29.04.2018 from 2 pm to 9 pm in Saroornagar Indoor Stadium, Ranga Reddy District, “under the aegis of the ‘Telangana Jana Samithi,’ a new political party, in spite of having made an advance representation dt.29.03.2018 pursuant to the Hon’ble High Court’s directions dt.12.11.2017 in WP Nos.35738, 35760 of 2017 and WP No.39456 of 2017 and providing all required information, assurances, undertakings in consonance with the Hon’ble High Court’s directions as illegal, arbitrary, unconstitutional, in violation of Section 30 of the Police Act, 1861 and Article 14 and Article 19 of Indian Constitution, against the principles of natural justice, and consequently to direct the respondent authorities to immediately take necessary action and grant permission for the peaceful conduct Public meeting on 29.04.2018, either at Saroornagar stadium, Rangareddy district, or L.B. Stadium, or NTR Stadium opposite Indira Park, or Nizam College grounds and to pass such order/orders as it may deem fit and necessary in the circumstances of the case.”

2. I have heard the submissions of Smt. *B.Rachna Reddy*, learned counsel appearing for the petitioner, of the learned Additional Advocate General appearing for the respondents 1 to 5, and of the learned Government Pleader for Sports (Telangana) appearing for the respondents 6 to 8. I have perused the material record including the pleadings of both sides.

3. It is stated in the counter affidavit of the 5th respondent that the petitioner would be given permission for holding the proposed Public Meeting on 29.04.2018, if the petitioner makes a fresh representation accompanied by permission for utilisation of the stadium from the 6th respondent and with all details such as number of people likely to attend the meeting and names of the speakers, who will address the Public Meeting. Learned counsel for the petitioner expressed willingness of the petitioner to give a fresh representation with necessary details along with permission for utilisation of the stadium from the 6th respondent. Hence, this Court is of the considered view that the writ petition can be disposed of.

4. In the result, the Writ Petition is ordered as follows:

- ‘1. The factual and legal contentions raised by the parties on various aspects are left open for consideration as and when a *lis*, if any, arises on any substantive and allied matters.
2. The petitioners are reserved liberty to apply for permission to conduct Public Meeting on 29.04.2018 enclosing a copy of this order with the proposed application and furnishing among other details, the time of the meeting and venue, number of persons that are likely to attend the assembly/meeting and participate and also the names of the speakers, subject to addition to a few more speakers depending upon the contingencies at the time of meeting, and also the measures the petitioner would be taking to ensure maintenance of law and order and prevention of disruption of normal life by such assembly/meeting or its members.

3. The respondents 4 & 5, on receipt of the request from the petitioner, shall independently examine the request and grant permission by imposing such conditions, as are felt reasonable and are necessary in this regard.
4. The said respondents shall dispose of the application of the petitioner within a period of three (03) working days from the date of receipt of a copy of the application from the petitioner.
5. It is needless to observe that the petitioner organisation shall comply with the conditions imposed by the respondents 4 & 5 while according permission and shall co-operate with the police authorities, who will be placed in-charge of the security arrangements at the meeting place on the specified date and time.'

There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order.

M.SEETHARAMA MURTI, J

Date: 16th April, 2018

Note: Issue C.C. today.

(B/o.)
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