

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.15870 OF 2018

ORDER:

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

“to issue an order or orders more particularly one in the nature of the writ of Mandamus declaring the action of the respondents herein in imposing prohibitory orders and denied permission to the petitioner’s organization Amarula Bandhu Mithrula Sangham to hold Hall Meeting on 28.04.2018 at Rama Narsaiah Vigyana Kendram NSP Camp, Khammam as being illegal, arbitrary and violation of Art 14 & 19 of the Constitution of India and it is also further declare the action of the respondents herein in imposing prohibitory orders under Sec 144 and denying permission to hold petitioner’s organization meeting on 28.04.2018 as illegal, arbitrary, and violation of Article 19 of Constitution of India and consequently direct the respondent no.2 herein not to interfere in Hall Meeting organized by the petitioner’s organization Amarula Bandhu Mithrula Sangham peacefully on 28.04.2018 at Rama Narsaiah Vigyana Kendra, NSP Camp, Khammam.”

2. I have heard the submissions of Sri V.Raghunath, learned counsel for the petitioner, and of the learned Government Pleader for Home (TG) appearing for the respondents. I have perused the material record.

3. In this writ petition, the challenge is to the action of the respondents herein in imposing prohibitory orders and denying permission to the petitioner’s organization to hold hall meeting, on 28.04.2018, at Rama Narsaiah Vigyana Kendram, Khammam. The said actions are being assailed as illegal, arbitrary and in violation of the provisions of the Constitution of India.

4. Learned counsel for the petitioner brought to the notice of this Court a news item, which reflects the increase of police vigil after maoist blast and also the issuance of prohibitory orders under Section 144 of the Code of Criminal Procedure in Khammam Police Commissionerate limits.

5. Learned Government Pleader for Home appearing for the respondents would submit that even without giving a representation for permission to hold a hall meeting, the present writ petition is filed and that in the event the petitioner approaches the police officer concerned with a representation, the same would be considered and a considered decision would be taken, either way, having regard to the facts and circumstances.

6. In reply, learned counsel for the petitioner would submit that though the meeting is scheduled to be held on 28.04.2018, the petitioner will take steps to fix another date for the meeting and give a representation to the police officer concerned and hence, the writ petition may be disposed of.

7. Recording the submissions, the Writ Petition is disposed of reserving liberty to the petitioner to submit a representation within 48 hours from the date of receipt of a copy of this order, that too, with necessary information including the details like the date, time & place of meeting, the probable number of attendees and the names of prominent speakers, who will address the gathering. In the event the petitioner submits any such representation, the Commissioner of Police shall dispose of the same by taking a considered decision, either way, as per law, within two (2) days of receipt of such representation. There shall be no order as to costs.

Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE M.SEETHARAMA MURTI

Date: 27.04.2018

Note:- Furnish C.C. on 30.04.2018.

B/O
AMD



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AMD