

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.2706 of 2019

Pookadai N.Sekar

... Petitioner

Vs.

1. The Superintendent of Police,
Salem District,
Salem

2. The Inspector of Police,
Yedapadi Police Station,
Salem District

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to pass an order of direction, directing the 2nd respondent to grant permission and provide police protection to the public meeting for Celebration of 102nd Birthday of Puratchi Thalaivar M.G.R. By fixing Speakers, Garlands, Banners and conduct music program which is scheduled to be held on 01.02.2019 or 02.02.2019 at about 06.00 p.m. at Yedapadi Bus Stand, Yedapadi, Salem District based on the representation of the petitioner dated 09.01.2019 forthwith.

For Petitioner : Mr.E.Kannadasan

For Respondents : Mr.A.Natarajan,
State Public Prosecutor,
Assisted by
Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

ORDER

The petitioner has filed this petition for direction directing the respondents to grant permission and provide police protection to the public meeting for celebration of 102nd Birthday of Puratchi Thalaivar M.G.R. by fixing speakers, garlands, banners and conduct music programme scheduled to be held on 01.02.2019 or 02.02.2019 at about 06.00 p.m. at Yedapadi Bus Stand, Yedapadi, Salem District.

2. The learned counsel for the petitioner would submit that the petitioner submitted his representation to the second respondent on 09.01.2019 for the meeting to be conducted on 01.02.2019 or 02.02.2019. After receipt of the same, the second respondent did not pass any orders on the representation. Therefore, again on 10.01.2019, the petitioner sent representation by registered post and the said representation was also duly received by the Deputy Superintendent of Police, Salem District. But the said representation was returned by the second respondent. Therefore on 23.01.2019 the petitioner sent representation to the first respondent for which also even after receipt of the same, there is no positive orders passed by the first respondent. Hence, he has sought for direction before this Court.

3. Mr.A.Natarajan, State Public Prosecutor appearing on behalf of the learned Additional Public Prosecutor would submit that even permission sought for by the petitioner expired since he sought for permission to conduct public meeting at Yedapadi Bus stand, Yedapadi, Salem District on 01.02.2019 or 02.02.2019 at about 06.00 p.m. He further submitted that no representation was received by the respondents.

4. Heard the learned counsel for the petitioner and Mr.A.Natarajan, State Public Prosecutor appearing on behalf of the learned Additional Public Prosecutor.

5. It is seen that the petitioner sought for permission and police protection to the public meeting for celebration of 102nd Birthday of Puratchi Thalaivar M.G.R. scheduled to be held on 01.02.2019 or 02.02.2019 at about 06.00 p.m. at Yedappadi Bus stand, Yedappadi, Salem District. Admittedly, the said dates now expired and it is also seen that now the learned State Public Prosecutor submitted that if any representation is made by the petitioner, they are ready to consider the same and pass appropriate orders.

6. Considering the above facts and circumstances of the case, the prayer in this petition has become infructuous. However, the petitioner is at liberty to submit a fresh representation for the meeting to be held in particular place on the eve of 102nd Birthday of Puratchi Thalaivar M.G.R. by mentioning a specific date and specific venue by person to the second respondent. If any representation is received by the second respondent from the petitioner, the second respondent is directed to consider and pass orders on merits and in accordance with law within a period of two weeks from the date of receiving the representation from the petitioner.

7. With the above directions, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,
Salem District,
Salem
2. The Inspector of Police,
Yedapadi Police Station,
Salem District
3. The Additional Public Prosecutor,
High Court of Madras.

+1cc to Mr.E.Kannadasan, Advocate, S.R.No.10850

+1cc to the Government Pleader, S.R.No.10710

Cr1.O.P.No.2706 of 2019

PVS (CO)
CS/08/02/2019

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