

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2019

CORAM :

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.3859 of 2019

Hindu Makkal Katchi-Tamilnadu
rep. by its State Secretary,
N.Anand,
55 C.N.K.Road, Chepauk,
Triplicane, Chennai-5.

... Petitioner

Vs.

The Commissioner of Police,
Greater Chennai,
Vepery,
Chennai-600 007.

... Respondent

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records of the respondent in No.91/TB-2/2019 dated 04.02.2019 and quash the same and direct the respondent to permit the Hindu Makkal Katchi-Tamilagam, the petitioner herein for fasting protest in front of Valluvarkottam on 10.02.2019 from 9 a.m., to 5 p.m.

For Petitioner : Mr.K.Kannan

For Respondent : Mr.A.Kumar,
Additional Advocate General-VII

for Mr.Balamurugan

Special Government Pleader

O R D E R

This petition has been filed seeking to quash the proceedings in No.91/TB-2/2019 dated 04.02.2019 and to direct the respondent to permit the Hindu Makkal Katchi Tamilagam for fasting protest in front of Valluvarkottam on 10.02.2019 from 9 a.m. to 5 p.m.

2.The petitioner, is the State Secretary of Hindu Makkal Katchi, Tamil Nadu. They have decided to sit in fasting on 10.02.2019 before Valluvarkottam in order to protest against

the non-Hindus' speaking against Hindus' and publishing photos in the public places and performing function against Hindus'. Hence, they have sent a representation dated 23.01.2019 to the respondent herein seeking permission for fasting protest on 10.02.2019 before Valluvarkottam. On receipt of the same, the respondent by proceedings dated 04.02.2019 in No.91//TB-2/2019 has rejected his representation on the ground of law and order problem. Hence, the petitioner is before this Court with the aforesaid prayer.

3.The learned counsel for the petitioner submitted that the Hindu Makkal Katchi, has conducted several meetings and protest without any untoward incidents.

4.The learned Additional Advocate General-VII, submitted that the Party Hindu Makkal Katchi has involved in several protest, which ended in public disturbance and several cases in crime numbers were pending against the party and its members in Chennai as well as in other Districts. He has also submitted the list of cases pending against the petitioner-Party. He further submitted that if the petitioner is permitted to conduct protest, definitely law and order problem would arise and would cause great hardship to the respondents as well as to the general public.

5.Heard the learned counsel for the petitioner and the learned Additional Advocate General-VII, for the respondent.

6.In the facts and circumstances of the case and also considering the antecedents of the petitioner-Party, it is not appropriate for this Court to direct the respondent Police to permit the petitioner to carry on with the protest. Hence, the writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1.The Commissioner of Police,
Greater Chennai, Vepery, Chennai-600 007.

2.The Public Prosecutor,
High Court, Madras.

W.P.No.3859 of 2019

AK(CO)

CSL/20.03.2019