

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22/4/2019

C O R A M

THE HONOURABLE MR.JUSTICE S.MANIKUMAR
and
THE HONOURABLE MR.JUSTICE SUBRAMONIUM PRASAD

W.P.No.11906 of 2019

Sakthivel

...Petitioner

Vs

1. The State
rep. By the District Collector/Election Officer
O/o. District Collector Office
Dharmapuri District.

2. The Inspector of Police
Karumalai Kudal Police Station
Mettur Dam RS 2
Salem District.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, issuance of a writ of mandamus to direct the respondents to grant permission to hold procession and public meeting on 27/4/2019 between 4 p.m., to 10.00 p.m., nearby Mettur Municipality Commercial Complex pursuant to the petitioner's representation, dated 28/3/2019 and 10/4/2019.

For Petitioner ... Mr.P.Thirumoorthy

For respondents ... Mr.Niranjan Rajagopalan
Assisted by Ms.G.Janane
for M/s. G.R.Associates for R1 & R2

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O R D E R

(Order of this Court was made by S.MANIKUMAR, J)

Contending inter alia that a representation, dated 10/4/2019, has been sent to the District Collector/Election Officer, Dharmapuri District, first respondent, seeking

permission to hold procession and public meeting, on 27/4/2019, between 4 p.m., to 10.00 p.m., nearby Mettur Municipality Commercial Complex and that the said representation remains unanswered, writ petitioner, Executive Committee Member of Dravidar Viduthalai Kazhagam, has sought for a writ of mandamus, to direct the District Collector/ Election Officer, Dharmapuri and the Inspector of Police, Karumalai Kudal Police Station, Salem District, respondents 1 and 2, respectively, to grant permission, to hold procession and public meeting, on 27/4/2019 between 4 p.m., to 10.00 p.m., nearby Mettur Municipality Commercial Complex, pursuant to the petitioner's representation, dated 28/3/2019 and 10/4/2019.

2. According to the petitioner, organisation of the petitioner used to celebrate Nathikar Vizha, on 27/4/2019.

3. On instructions, Ms.G.Janane, learned counsel for the respondents 1 and 2 submitted that within two days, representations dated 28/3/2019 and 10/4/2019, would be disposed of. Submission is placed on record.

4. Though Mr.P.Thirumoorthy, learned counsel for the petitioner submitted that a direction be issued to follow Sampathkumar's case, decided in W.P.No.22354 of 2014, dated 20/8/2014 {Sampathkumar Vs. State, rep. By the Superintendent of Police, Salem District and another}, this Court is not inclined to do so.

5. The District Collector/Election Officer, Dharmapuri District, first respondent, is directed to consider the representations of the petitioner, dated 28/3/2019 and 10/4/2019, on merits and in accordance with law, within a period of two days, from the date of receipt of a copy of this order, as assured.

6. With the above, direction, writ petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

mvs.

To

1. The District Collector/Election Officer
O/o. District Collector Office
Dharmapuri District.

2. The Inspector of Police
Karumalai Kudal Police Station
Mettur Dam RS 2
Salem District.

+1cc to Mr.R.Thirumoorthy, Advocate, S.R.No.38489
+1cc to the Government Pleader, S.R.No.38789
+1cc to Mr.G.R.Associates, Advocate, S.R.No.38502

Writ Petition No.11906 of 2019

PMS (CO)

RRS (24/04/2019)



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