

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.05.2019

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN
and
THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

Writ Petition No.14337 of 2018

Valluvarasan

...Petitioner

Vs

1. The Returning Officer of Coimbatore Parliamentary Constituency,
cum District Collector,
Collectorate,
Coimbatore - 641 018.
2. Single Window/Admission Section Officer (Incharge)
Coimbatore Parliamentary Constituency and
the Assistant Commissioner of Police, Crime Branch,
Coimbatore City, Coimbatore District. ... Respondents

Writ Petition filed under Article 226 of The Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records from the 2nd respondent pertaining to denial of conducting public meeting vide letter Na.Ka.No.214/SWS/Sulur 116 AC/2019 dated 09.05.2019, and quash the same and consequently direct respondents to give the permission to conduct the public meeting on 19.05.2019 at 5 p.m. to 10 p.m in Pappannayakkanpalayam, Kaaikadai ground, Coimbatore.

For Petitioner : Mr.P.Saravanan
For Respondents: Mr.Niranjan Rajagopal

O R D E R

[Order was delivered by C.V.KARTHIKEYAN,J]

This writ petition has been filed by the petitioner who claims to be the Convenor of Coimbatore District Revolutionary Youth Front. It has been stated that the Revolutionary Youth Front had decided to conduct a public meeting at Pappannayakkanpalayam, Kaaikadai Ground,

Coimbatore on 19.05.2019 between 5.00 p.m to 10.00 p.m in relation to May Day, Condolence of 10th year Mullivaikkal assassination and condolence of 1st year Anti-Sterlite death. In this connection, they had given a representation dated 02.05.2019 seeking permission. The respondents had denied permission by their letter dated 09.05.2019, which is impugned in the writ petition.

2. In the said order, the respondent had clearly stated that the request of the petitioner to conduct the public meeting would be considered after the expiry of the Model Code of Conduct now prevailing in view of the on-going elections or after 23.05.2019, the date of counting of the ballots. It had been stated that after those dates, the representation of the petitioner would be considered and appropriate orders would be passed.

3. It is a fact that the respondents are, as on date, involved in the election process. No doubt, the voting has been completed but re-polling on 19.05.2019 has been ordered in several places in the State. Therefore, security has to be provided during the re-polling. Thereafter, security has to be maintained till the counting of votes are conducted on 23.05.2019 and also till the Model Code of Conduct is lifted and orders are passed to that effect.

4. We do not appreciate the contentions of the learned counsel for the petitioner. The Writ Petition is dismissed, however, giving liberty to the writ petitioner to give a fresh representation after the expiry of the Model Code of Conduct and the appropriate authorities are directed to consider such representation in accordance with the guidelines in this regard. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

vsi/mp

To

1. The Returning Officer of Coimbatore Parliamentary Constituency,

cum District Collector,

Collectorate, Coimbatore - 641 018.

2. Single Window/Admission Section officer (Incharge)

Coimbatore Parliamentary Constituency and

the Assistant Commissioner of Police, Crime Branch,
Coimbatore City, Coimbatore District.