



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.07.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.18268 of 2019

Mohanraj

... Petitioner

-Vs-

The Inspector of Police,
Taluk Police Station,
Villupuram.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the order dated 20.06.2019 passed by the respondent and quash the same and consequently direct the respondent to permit the petitioner to conduct a demonstration on 28.06.2019 at 04.30 p.m. or any other subsequent dates at the mentioned places..

For Petitioner : Mr.Jiim Raj Milton
For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This writ petition has been filed challenging the order passed by the respondent dated 20.06.2019 rejecting the permission sought for by the petitioner to conduct a protest/demonstration on 28.06.2019 at 04.30 p.m.

2. It is seen from the records that, the petitioner wants to conduct a demonstration on the ground that two persons have been illegally arrested by the police and a false criminal case has been foisted against them. It is further alleged that even the grounds of arrest or reasons for arrest was not mentioned at the time of remand. Therefore, the petitioner wanted to conduct a protest/demonstration against the alleged illegal action on the part of the police.

3. The permission sought for by the petitioner was rejected by the respondent police on the ground that it will cause



4. The learned counsel for the petitioner submitted that the rejection order passed by the respondent police is illegal and that it goes against the freedom of speech and expression and the respondent police should not have denied the permission on some vague grounds.

6. This Court has carefully considered the submissions made on either side.

8. Protest and demonstration has become a way of life in this State. This Court has already stated that protest and demonstration have become a full time profession for many youngsters in this State. There are issues for which people can protest and conduct demonstration. However, at the fall of the hat, protest is being called for and police protection is sought for. The police is already over burdened with their work and to make police to go and give protection in every place where protest is being held, will put additional burden on the police.

<https://hcservices.ecourts.gov.in/hcservices/>



unwittingly become a party for encouraging unwanted protest/demonstration.

10. The purpose for which the protest is called in the present case, is totally unwarranted. It is not known as to how this protest will decide whether the case registered is false or the arrest made is illegal. These are matters that should be agitated before an appropriate forum and it cannot be taken streets.

11. This Court is of the considered view that the respondent police was perfectly right in rejecting the permission for conducting the protest/demonstration. This Court does not find any ground to interfere with the same.

12. If at all there is any false case or an illegal arrest is made against any person, it is always open to the concerned persons to challenge the same before the appropriate forum and redress their grievance. It is left open to the petitioner to adopt the said legal process.

13. In the result this Writ Petition is dismissed. No Costs.

-s/d-

Assistant Registrar (CS-IX)

True Copy

Sub-Assistant Registrar

ssr
To

1. The Inspector of Police,
Taluk Police Station,
Villupuram.

2. The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.S. Parthasarathy, Advocate sr 54378.

W.P.No.18268 of 2019

NMI (CO)
SP(01/08/2019)