

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2019

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH
W.P.No.24070 of 2019
and
WMP Nos.23894 & 23895 of 2019

United Labour Federation,
Rep.by its Vice President,
Regn.No.2657/CNI,
4th Floor, CJ Complex,
149, Thambu Chetty Street,
Chennai-600 001.

...Petitioner

.Vs.

1.The Government of Tamil Nadu,
Rep.by its Secretary,
Department of Home,
Fort St.George,
Chennai-600 009.

2.The Sub Collector,
Rani Pet, Vellore District.

3.Sub-Inspector of D1 Police Station,
Ranipet,
Vellore District.

..Respondents

सत्यमेव जयते

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, calling for the records of the 3rd respondent in connection with the impugned communication dated 13.08.2019, denying permission for the public meeting on 15.08.2019 and quash the same and direct the respondents herein to allow the petitioner to conduct the meeting on the basis of the Application of the Petitioner dated 22.07.2019.

For Petitioner : Mr.V.Prakash,Senior Counsel
for Mr.S.R.Balachandran
For Respondents : Mr.C.Raghavan,
Government Advocate (Crl.Side)

ORDER

This Writ Petition has been filed challenging the impugned rejection order of the 3rd respondent, denying the permission to the petitioner Federation to conduct meeting on 15.08.2019.

2.Mr.V.Prakash, learned Senior Counsel appearing on behalf of the petitioner submitted that originally permission was granted to conduct the meeting on 23.07.2019, and subsequently by virtue of the impugned order, the 3rd respondent has rejected the permission mainly on the apprehension that it may lead to a law and order problem. The learned Senior Counsel submitted that the petitioner Federation has already made all the arrangements for the meeting based on the oral permission granted earlier and at the last minute, the permission has been denied and it was made known to the petitioner Association only today. The learned Senior Counsel further submitted that the purpose of the meeting and the issues that are going to be deliberated, has been made very clear in the pamphlet that has been circulated for the meeting.

3.The learned Government Advocate appearing on behalf of the respondent Police submitted that the petitioner Federation can have the meeting on some other day since 15th August happens to be Independence Day and the Police may not be in a position to provide protection and since they will be busy with the other work on the Independence Day. The learned counsel further submitted that without a proper police permission and protection, if the meeting is permitted to be held, it may lead to an unnecessary law and order problem and will disrupt the normalcy in the locality and will cause hindrance to the general public.

4.The meeting is schedule to be held tomorrow. The workmen who are the members of the Federation wants to celebrate the Independence Day, by conducting a General Meeting and discuss issues which concerns the workmen. The issues that are going to be deliberated has been made clear in the invitation that has been filed before this Court. The Meeting is going to be attended by nearly 250 to 300 persons and it is going to be held between 10.30 a.m. to 12.30 p.m at Muthukadai, near Gandhi

Statue at Ranipet, Vellore District.

5.This Court is of the considered view that the impugned order has been passed merely based on apprehensions without any materials to substantiate the same, available before the Police. Therefore, the impugned rejection order passed by the 3rd respondent is liable to be interfered by this Court.

6.In the result, the impugned rejection order dated 13.08.2019, is hereby quashed. There shall be a direction to the 3rd respondent to grant permission and police protection for the meeting to be conducted by the petitioner Federation at Muthukadai, near Gandhi Statue at Ranipet, Vellore District. The petitioner shall ensure that the number of persons attending the meeting does not exceed 300 persons and the meeting shall be held between 10.30 a.m to 12.30 p.m., and it shall be concluded on time. It is left open to the 3rd respondent to impose any reasonable conditions in order to ensure that no law and order problem is created and the entire meeting goes on in a peaceful manner. The Federation shall pay the necessary charges to the 3rd respondent Police for providing police protection.

Writ Petition is accordingly allowed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

KP

To

1.The Government of Tamil Nadu,
Rep.by its Secretary,
Department of Home,
Fort St.George,
Chennai-600 009.

2.The Sub Collector,
Rani Pet, Vellore District.

3.Sub-Inspector of D1 Police Station,
Ranipet,
Vellore District.

4.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.K.Sudalaikannu, Advocate sr.69491

W.P.No.24070 of 2019

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