

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED:28.08.2019
CORAM:
THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH
W.P.No.25380 of 2019
and
W.M.P No.24927 of 2019

T.S.Jayachandran

...Petitioner

Vs.

1. The Superintendent of Police,
Villupuram District
Villupuram.
2. The Inspector of Police,
Auroville Police Station,
Villupuram District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus calling for the records relating to the impugned proceedings of the 2nd respondent in Letter dated 07.08.2019 and quash the same consequently, direct the 2nd respondent herein to forthwith grant permission to the petitioner to conduct peaceful demonstration of hunger strike in the premises of Court campus at Vanur, Villupuram District at the earlier date and time as sought for by the petitioner or on any date as may be fixed by this Court.

For Petitioner : Mr. S.Sasikumar

For Respondents: Mr.M.Mohamed Riyaz
Additional Public Prosecutor-R1 & R2

ORDER

This writ petition has been filed challenging the rejection order passed by the respondent police not permitting the Association to conduct a demonstration within the Court campus at Vanur, Villupuram District.

2. This Court is not able to understand as to why the Association approached the police seeking for permission to conduct the demonstration inside the Court campus. The police will have absolutely no say in any event / demonstration conducted within the Court premises. The police is not the authority to grant or not to grant permission and in the considered view of this Court, the petitioner association has approached a wrong authority seeking for permission. Unfortunately, the respondent police without understanding the

scope of the representation, has proceeded to reject the permission on the ground that it will result in law and order problem and already, there is a prohibition order under Section 30(2) of the Police Act.

3. The police does not have the authority to deal with the representation made by the petitioner association for a demonstration that was planned to be conducted within the Court premises.

4. In view of the above, this Writ Petition is disposed of by giving liberty to the petitioner association to approach the appropriate authority in the Court seeking for permission and work out their rights in accordance with law. No cost. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

1. The Superintendent of Police,
Villupuram District
Villupuram.
2. The Inspector of Police,
Auroville Police Station,
Villupuram District.
3. The Public Prosecutor
High Court of Madras.

+1cc to Mr. S.Sasikumar, Advocate sr.74307

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and
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nr 30/08/2019