

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.Nos.26717 & 26721 of 2019

M.Sagaya Charles

...Petitioner in both Crl.OPs.

Vs

1. The Superintendent of Police
O/o.Superintendent of Police,
Nagapattinam District.
2. The Inspector of Police,
Velipalayam Police Station,
Nagapattinam District. ...Respondents in both Crl.OPs.

PRAYER in Crl.O.P.No.26717 of 2019: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent police to grant permission and necessary police protection to conducting the procession of rally starts at Church to the way of Sivan South Street, Perumal Noth lane, Muhamathiyar Street, Sattayappar North Street, Public Office road, Thamarai Kulam Thenkarai, Sivan Sanathi Street, Kavara St finally reaches at Church Nagapattinam District which is held to be on 13.10.2019 in pursuant to the petitioner's representation dated 30.09.2019.

PRAYER in Crl.O.P.No.26721 of 2019: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent police to grant permission and given necessary police protection to perform the Gospel Meeting, using P.A systems and lighting, at Avurithidal New Bus stand, Nagapattinam, Nagapattinam District which is held to be on 17.10.2019 to 20.10.2019, in pursuant to the petitioner's representation dated 30.09.2019.

For Petitioner : Mr.P.Muthamizh Selvakumar
in both Crl.OPs

For Respondents: Mr.V.Saratha Devi
in both Crl.OPs Government Advocate (Crl.Side)

C O M M O N O R D E R

In both Criminal Original Petitions, the petitioner seeks permission for conducting a rally through certain named streets

as well as for a direction to the respondent to grant permission and protection for performing the Gospel Meeting in a public place.

2. In this connection, the petitioner herein has given two representations on 30.09.2019 seeking for necessary permission. Since the said representations were not considered, the present Criminal Original Petitions have been filed.

3. It is needless to point out that grant for such permission would be within the purview of the second respondent herein and this Court may not be justified in verifying the feasibility and granting such permission. Nevertheless, if the second respondent herein is directed to consider the petitioner's representations within a stipulated time, the ends of justice could be secured.

4. In the light of the above observations, there shall a direction to the second respondent to consider the petitioner's representations dated 30.09.2019, on its own merits and pass appropriate orders. In case the second respondent is of the view that the permission may be granted, it is open to them to impose such reasonable restrictions as he may deem fit to impose.

5. The Criminal Original Petitions are disposed of accordingly.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

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Sub Assistant Registrar

To

1. The Superintendent of Police
O/o. Superintendent of Police,
Nagapattinam District.

2. The Inspector of Police,
Valipalayam Police Station,
Nagapattinam District.

3. The Additional Public Prosecutor,
High Court of Madras.

+2 ccs to Ms.P.Indhumathi, Advocate, S.R.No.84617 and 84616

CrI.O.P.Nos.26717 & 26721 of 2019

GJ(CO)
SSM(04/10/2019)