

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.11.2019

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.31225 of 2019

S.Dhamodaran

...Petitioner

Vs.

1.The Deputy Superintendent of Police,
O/o the Deputy Superintendent of Police,
Suloor Sub-Division, (Law and Order),
Coimbatore District.

2.The Inspector of Police (L&O),
Sulthanpettai Police Station,
Sulthanpettai City,
Coimbatore District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to grant permission to conduct a public meeting on 24.11.2019 at "Thenserimalai Ther Thidal" in Sulthanpettai union to celebrate 111th birth Anniversary of beloved former Chief Minister Hon'ble C.N.Annadurai also known as "Perarignar ANNA".

For Petitioner : Mr.P.Athiveeraramapandian

For Respondents: Mr.C.Iyyapparaj
Additional Public Prosecutor

O R D E R

Seeking permission to conduct public meeting on the event of 111th birth Anniversary of beloved former Chief Minister Hon'ble C.N.Annadurai also known as "Perarignar ANNA" day on 24.11.2019 at "Thenserimalai Ther Thidal" in Sulthanpettai union, the petitioner made a representation dated 15.10.2019 to the respondents. Since the same has not been considered, the present petition has been filed.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3. Learned Additional Public Prosecutor, on instructions, would submit that there is likelihood of arising law and order problem.

4. A mere apprehension cannot be a ground to reject the representation. There is absolutely no material before this Court to hold that there will be a law and order problem in the event of permission being granted. In such view of the matter, the writ Petition is allowed and the petitioner is permitted to conduct public meeting, however, with the following conditions:-

(a) The public meeting in connection with the event of 111th birth Anniversary of beloved former Chief Minister Hon'ble C.N. Annadurai also known as "Perarignar ANNA", shall be conducted on 24.11.2019 between 05.00 PM and 09.00 PM.

(b) There should not be any kind of obscene dance or vulgar dialogues during the performance, by anyone of the participants.

(c) Double meaning songs should not be played so as to spoil the minds of students and youths.

(d) No dance or songs, touching upon any political party or religion or community or caste shall be played.

(e) No flex boards in support of any political party or communal leader, shall be erected at the premises of the programme.

(f) The meeting shall not affect either religious or communal harmony and shall be conducted without any discrimination based on caste.

(g) If there is violation of any one of the conditions imposed, the concerned police officer is at liberty to take necessary action, as per law and stop such performance forthwith; and

(h) Similarly, the police is directed to stop the dance programme, if it is played beyond the permitted time limit.

(i) The respondent is directed to issue necessary protection and permission, incorporating the above conditions. No Costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Deputy Superintendent of Police,
O/o the Deputy Superintendent of Police,
Suloor Sub-Division, (Law and Order),
Coimbatore District.

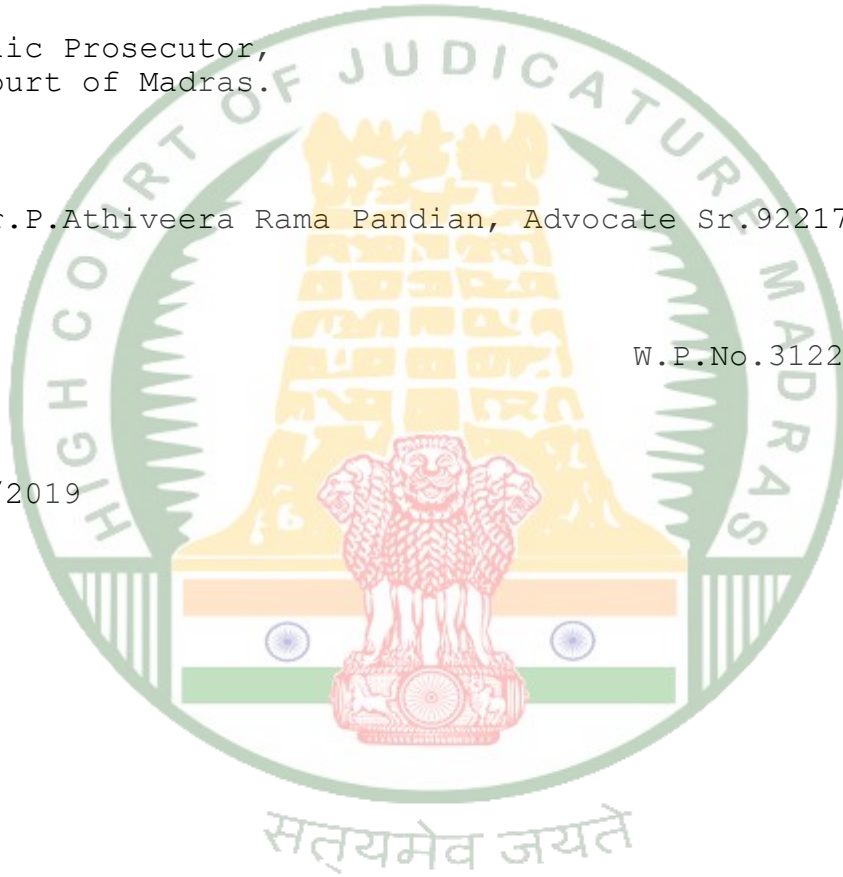
2.The Inspector of Police (L&O),
Sulthanpettai Police Station,
Sulthanpettai City,
Coimbatore District.

3.The Public Prosecutor,
High Court of Madras.

+lcc to Mr.P.Athiveera Rama Pandian, Advocate Sr.92217

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srg 14/11/2019



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