

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2019

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. No.31586 of 2019

M.Tameem Marakeyar
State Secretary of Tamil Nadu,
Sunnath Jamath having office
at No.31/1, Hazarath makan,
Bangalore Road,
Vellore-632 004.

..Petitioner

Vs.

1.The Superintendent of Police,
Vellore District.

2.The Inspector of Police,
Vellore North Police Station,
Vellore, Vellore District.

..Rspondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the second respondent to grant permission to the petitioner to conduct (Milad-un-Nabi) festival peaceful procession and public meeting on 10.11.2019 with police protection by considering the petitioner's representation dated 02.11.2019.

For Petitioner :Mr.J.Prakasam

For Respondents :Mr.C.Iyyapparaj
Additional Public Prosecutor

O R D E R

Since the petitioner's representation dated 02.11.2019, seeking for police protection for the purpose of conducting Milad-di-Nabi festival procession and public meeting on 10.11.2019 was kept pending by the second respondent herein without any consideration, the present Writ Petition has been filed.

2. Heard Mr.J.Prakasam, learned counsel for the petitioner and Mr.C.Iyyapparaj, learned Additional Public Prosecutor appearing on behalf of the respondents.

3. It is needless to say that whenever a case of this nature

appears, it is the bounden duty on the part of the police to consider the same in one way or the other, instead of keeping it indefinitely. In this background, this Court is justified in exercising its extraordinary powers under Article 226 of the Constitution of India, to direct the statutory authorities to consider such a request.

4. The learned Additional Public Prosecutor on instructions, from the second respondent police submitted that, if the petitioner herein approaches them, they are willing to provide the necessary protection for the purpose of regulating the public meeting as well as the procession by imposing reasonable restrictions.

5. In view of the submissions made by the learned Additional Public Prosecutor, expressing their willingness to extend police protection for the procession as well as the public meeting in lieu of the Milad-di-Nabi festival, the petitioner is directed to approach the second respondent police along with the copy of the earlier representation given by them on 02.11.2019. On receipt of the same, the second respondent shall consider it.

6. In the light of the above observations made, the second respondent police is directed to extend necessary protection to the petitioner to conduct (Milad-un-Nabi) festival procession and public meeting on 10.11.2019 by considering the petitioner's representation dated 02.11.2019, preferably on or before 09.11.2019.

7. It is also open to the second respondent police to impose reasonable restrictions for the purpose of regulating the procession and public meeting.

8. With the above observations and directions, this Writ Petition is disposed of accordingly. No costs.
Dp

Sd/-
Assistant Registrar (CS II)

//True Copy//

Sub Assistant Registrar

To

1.The Superintendent of Police,
Vellore District.

2.The Inspector of Police,
Vellore North Police Station,
Vellore, Vellore District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.J.Prakasam, Advocate, SR.No.92446

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