



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **15.05.2019**

CORAM:

THE HON'BLE MRS.JUSTICE J.NISHA BANU

AND

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P. [MD] .Nos.11900 & 11901 of 2019

W.P(MD)No.11900 of 2019

S.Jenarose

: Petitioner

vs.

1.The Election Officer/The District Collector,
O/o.District Collector Office,
Thoothukudi District.

2.The Assistant Election Officer/The Deputy Collector,
Thoothukudi.

3.The Superintendent of Police,
O/o.Superintendent of Police,
Thoothukudi.

4.The Deputy Superintendent of Police,
O/o.Deputy Superintendent of Police,
Thoothukudi.

5.The Inspector of Police,
Central Police Station,
Thoothukudi.

6.The Inspector of Police,
South Police Station,
Thoothukudi.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents Nos.1 to 6 to grant permission to conduct the commemorate meeting to the 1st year death anniversary of "15 Anti Sterlite Martyrs" with a Rally and Public Meeting at 05.30 P.M., from Panimaya Matha Church to SAV School Ground and hold public meeting on 22.05.2019 venue at SAV School Ground from 06.30 P.M., to 9.30 P.M., (or) Hall meeting on 22.05.2019 from evening 06.00 P.M., to 08.00 P.M., at Anthonyiar Kovil Thirumana Mandapam at V.E.Road, Thoothukudi by considering the petitioner's representation dated 06.05.2019, 07.05.2019 and 11.05.2019 within stipulated time frame fixed by this Court.



WEB COPY

For Petitioner : Mr.S.Vanchinathan
For Respondents : Mr.K.Chellapandian
Additional Advocate General
Assisted by
M/s.J.Padmavathy Devi
Spl. Government Pleader

: Mr.V.Karthick
Senior Advocate
for Malayendran
Tuticorin Makkal Padhukappu Sangam

: Mr.K.P.Anantha Krishnan
For Mr.V.Meenakshi Sundaram
For Govindasamy for Intervenor

W.P(MD)No.11901 of 2019

A.Viyanarasu : Petitioner

vs.

1.The Election Officer/The District Collector
Thoothukudi Parliament Constituency,
O/o.District Collector Office,
Thoothukudi District.

2.The Assistant Election Officer/The Deputy Collector,
Thoothukudi.

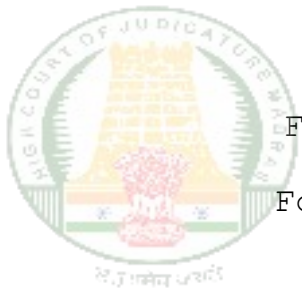
3.The Superintendent of Police,
O/o.Superintendent of Police,
Thoothukudi.

4.The Deputy Superintendent of Police,
O/o.Deputy Superintendent of Police,
Thoothukudi.

5.The Inspector of Police,
Central Police Station,
Thoothukudi.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents Nos.1 to 5 to grant permission to conduct the homage meeting of "13 Anti Sterlite Martyrs" on the 1st year death anniversary scheduled at Opposite of Maiyavadi Bus stop situated in Thoothukudi to Palayamkottai Road, Thoothukudi on 22.05.2019 from 10.00 A.M., to 3.00 P.M., (or) "Kalaighnar Arangam" situated at Etayapuram Road, Thoothukudi by considering the petitioner's representation dated 20.04.2019 and 10.05.2019 within stipulated time frame fixed by this Court.



WEB COPY

For Petitioner : Mr.R.Ganesh Prabu

For Respondents : Mr.K.Chellapandian
Additional Advocate General
Assisted by
M/s.J.Padmavathy Devi
Spl. Government Pleader

: Mr.V.Karthick
Senior Advocate
for Malayendran
Tuticorin Makkal Padhukappu Sangam

: Mr.K.P.Anantha Krishnan
For Mr.V.Meenakshi Sundaram
For Govindasamy for Intervenor

COMMON ORDER

[Order of the Court was made by **M.DHANDAPANI, J.**]

Heard the learned counsel appearing for the writ petitioners and the learned Additional Advocate General appearing for the respondents. This Court also heard Mr.V.Karthick, Senior Advocate, appearing for Tuticorin Makkal Padhukappu Sangam and the learned counsel Mr.K.P.Ananthakrishnan for the intervenor.

2.The writ petitioners wanted to conduct an event to pay homage to the victims who lost their lives in the police firing on 22.05.2018 at Tuticorin, in connection with Anti Sterlite Protest. In this regard, the petitioners had given an applications on 11.05.2019 and 10.05.2019. Since no fruitful response was forthcoming from the authorities, they have been constrained to move this Court.

3.On an earlier occasion the affected family, who lost their family members in the Police firing on 22.05.2018 at Tuticorin, in connection with Anti Sterlite Protest, filed a writ petition in W.P(MD)No.11786 of 2019, in which, after hearing the learned Additional Advocate General, we permitted the petitioner therein to conduct the homage meeting in the BELL Hotel, Tuticorin and the number of participants would not go beyond 250. Since the very same relief is now sought for by the petitioners herein, we are inclined to increase the participants from 250 to 500 persons. The petitioners in these writ petitions are entitled to participate in the meeting peacefully and the conditions imposed in the earlier writ petition in W.P.(MD)No.11786 of 2019 will apply to these writ petitions also.



WEB COPY

4. The writ petitions are allowed on the above terms. No costs.

Sd/-

Vacation Officer

/ True Copy /

Sub Assistant Registrar(CS)

am

To

1. The Election Officer/The District Collector,
Thoothukudi District.
 2. The Assistant Election Officer/The Deputy Collector,
Thoothukudi.
 3. The Superintendent of Police,
Thoothukudi.
 4. The Deputy Superintendent of Police,
Thoothukudi.
 5. The Inspector of Police,
Central Police Station,
Thoothukudi.
 6. The Inspector of Police,
South Police Station,
Thoothukudi.
- +1 CC to M/s.S.VANCHINATHAN, Advocate
(SR-65789[F] dated 15/05/2019)
- +2 CC to M/s.V.MEENAKSHISUNDARAM, Advocate
(SR-65792, 65793[F] dated 15/05/2019)
- +1 CC to M/s.R.GANESH PRABU, Advocate
(SR-65788[F] dated 15/05/2019)
- +1 CC to M/s.SPL GP (SR-66059[F] dated 16/05/2019)

WP(MD) Nos.11900 & 11901 of 2019
15.05.2019