



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.11.2019

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P. (MD)No.12620 of 2019

A.Veluchamy

... Petitioner

Vs

1.The Deputy Superintendent of Police,
Aruppukkotai, Virudhunagar District.

2.The Sub-Inspector of Police,
Mallankinar Police Station,
Virudhunagar District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceedings issued by the first respondent in his proceedings in Na.Ka.No.61/Mike/Ka.Thu.Ka/VNR/19 on 25.05.2019, on the file of the first respondent and consequently directing the first and second respondents to grant necessary permission for conducting the agitation proposed to be conducted before Co-operative Urban Bank buildings, Mallankinar, Kariapatti Taluk, Virudhunagar District on 29.05.2019 or any other subsequent dates and to grant permission for mike and other public announcements, arrangements for the above agitations.

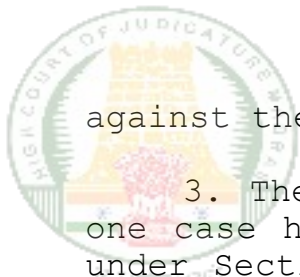
For Petitioner : Mr.G.Mariappan

For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. Side)

ORDER

This Writ Petition has been filed to call for the records relating to the impugned proceedings issued by the first respondent in his proceedings in Na.Ka.No.61/Mike/Ka.Thu.Ka/VNR/19 on 25.05.2019, on the file of the first respondent and consequently directing the first and second respondents to grant necessary permission for conducting the agitation proposed to be conducted before Co-operative Urban Bank buildings, Mallankinar, Kariapatti Taluk, Virudhunagar District on 29.05.2019 or any other subsequent dates and to grant permission for mike and other public announcements, arrangements for the above agitations.

2. It is seen that the petitioner one Muthaiah belongs to petitioner's political party was attacked by the Head Constable and as such the petitioner agitated to take appropriate action as



against the Head Constable of the second respondent police station.

3. The learned Government Advocate(Crl.Side) would submit that one case has registered in Crime No. 79 of 2019 for the offences under Sections 147,294(b),323, 506(i) of IPC against Muthaiah party and counter case has also been registered in Crime No.77 of 2019 for the offences under Sections 147,148,323,324,294(b) and 506(i) of IPC against Muthuvel Party. In pursuant to the crime the said Muthiah was arrested and remanded to judicial custody and thereafter released on bail. Therefore the second respondent has rightly rejected the application filed by the petitioner for conducting Dharna on 25.05.2019.

4. Now the period is also lapsed to conduct peaceful agitation as against the police officials. Further is crime is also pending against two groups. Therefore the second respondent has rightly rejected the request made by the petitioner. Hence this Court finds no illegality or infirmity in the order passed by the second respondent.

5. In the result, this Writ petition is dismissed as devoid of merits. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The Deputy Superintendent of Police,
Aruppukkotai, Virudhunagar District.

2.The Sub-Inspector of Police,
Mallankinar Police Station,
Virudhunagar District.

+1 CC to M/s.G.MARIAPPAN, Advocate (SR-98917[F] dated 18/11/2019)

W.P. (MD)No.12620 of 2019
14.11.2019

KK/SAR/02.12.2019/2P-4C/