



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.03.2019

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THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P.(MD)No.24545 of 2018

Thalavai

... Petitioner

Vs.

The Deputy Superintendent of Police,
Tenkasi Sub Division,
Tirunelveli District.

... Respondent

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, calling for the records of the impugned proceedings in Na.Ka.No.421/DSP TEN OFF/2018 dated 10.12.2018 passed by the respondent, quash the same and consequently direct the respondent to permit the petitioner's organization to conduct the demonstration on 16.12.2018 at about 17.00 hours at LRS Palayam, Tenkasi, Tirunelveli District with adequate police protection.

For Petitioner	: Mr.RM.Arun Swaminathan for Abul Kalaam
For Respondent	: Mrs.S.Bharathi Government Advocate

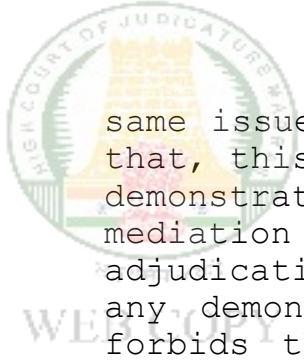
ORDER

The petitioner applied to the respondent for permission to hold a demonstration for instituting a building of Ram Temple in Ayodya. The same came to be rejected vide impugned order dated 10.12.2018, which is now under challenge.

2. The learned counsel for the petitioner submits that the respondent police discriminates between two religious groups and the other religious group was granted permission to hold demonstration on 30.12.2018, whereas the petitioner was denied.

3. Heard, the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondent police.

4. Without getting into the allegations of arbitrariness in the action of the respondent for the present, inasmuch as the Hon'ble Supreme Court has seized of the matter and has appointed mediators to resolve the issue, it may not be proper to raise the



same issue for the present in a small town Tenkasi. Having stated that, this Court does not foreclose the petitioner's right to hold demonstration on the same, but it can wait till after the ongoing mediation process. Hence, for the present, nothing survives for adjudication in this petitioner. However, if any cause for holding any demonstration on the said subject continues in future, God forbids there should not be one, the petitioner may make fresh representation and the same shall be considered and disposed of on its own merits.

5. With this direction, this criminal original petition is disposed of. No costs.

Sd/-

Assistant Registrar (T & P)

// True Copy //

Sub Assistant Registrar (CS)

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To

The Deputy Superintendent of Police,
Tenkasi Sub Division,
Tirunelveli District.

+1CC TO MR.RM.ARUN SWAMINATHAN, Advocate Sr. No. 53718

Order made in
W.P.(MD) No.24545 of 2018
13.03.2019

TR (27.04.2019) 2P 3C