



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 26.11.2019
CORAM

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

WEB COPY

W.P.(MD).No.17068 of 2019

S.B.Paulsamy

... Petitioner

Vs.

1.The Deputy Superintendent of Police,
Thiruvaadanai, Ramanathapuram District.

2.The Sub Inspector of Police,
Thiruvaadanai Police Station,
Ramanathapuram District.

3.The Tashildar
Thiruvaadanai Village,
Ramanathapuram District.

4.Raman

5.Ilavarasi

... Respondents

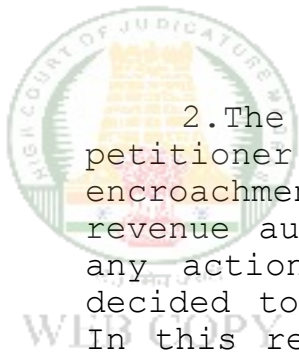
(R3 to R5 impleaded vide order dated 26.11.2019
in WMP(MD)No.15647 of 2019)

PRAYER : Petition filed under Article 226 of the Constitution of India, seeking a Writ of certiorarified Mandamus, to call for the records pertaining to the proceedings of second respondent in Na.Ka. No.38/D1PS/thiruva./2019, dated 09.07.2019 rejecting the permission for conducting Demonstration and to quash the same as illegal and unconstitutional and consequently to direct the first respondent to give permission to conduct "Demonstration" at Thiruvadanai South Street, near Amman Kovil on a convenient date of the petitioner.

For Petitioner : Ms.M.P.Roniga
For R1and R2 : Mr.R.Anandharaj,
Additional Public Prosecutor

ORDER

The Writ Petition has been filed challenging the order passed by the second respondent in Na.Ka.No.38/D1PS/thiruva./2019, dated 09.07.2019, thereby rejecting the permission sought for by the petitioner to conduct demonstration at Thiruvadanai South Street, near Amman kovil.



2.The learned counsel for the petitioner submitted that the petitioner submitted so many representations to remove the encroachments at Paramanivayal Pond by the encroachers before the revenue authorities. After receipt of the same, they did not take any action to remove the encroachers. Therefore, the petitioner decided to conduct demonstration on 10.07.2019 at about 11.00.a.m. In this regard, he made a representation to the second respondent and the same was rejected for the reason that Section 30(2) of the Police Act is in force in the said area. Further, it was stated that the dispute is regarding water resources and as such, it has to be enquired by the revenue authorities. Hence, this writ petition.

3. The learned Additional Public Prosecutor submitted that the petitioner wants to conduct demonstration for non action of the revenue authorities. The second respondent rejected the request for the reason that already Section 30(2) of the Police Act is in force in the said area. Further, the petitioner sought for permission not only conduct demonstration and also seeking permission to use loud speaker and protection. Therefore, the second respondent rightly rejected the request made by the petitioner to conduct demonstration against the officials, who are not acted upon the representation submitted by the petitioner.

4.On perusal of the records, it is seen that the demonstration was to be conducted on 10.07.2019, the period is also over, therefore, this Writ Petition is devoid of merits. Accordingly, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

- 1.The deputy Superintendent of Police,
Thiruvaadanai, Ramanathapuram District.
- 2.The Sub Inspector of Police,
Thiruvaadanai Police Station, Ramanathapuram District.
- 3.The Tashildar,
Thiruvaadanai Village, Ramanathapuram District.

W.P. (MD) .No.17068 of 2019
26.11.2019

das

<https://hccs.courts.gov.in/cases/2P-4C>