



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.09.2019

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P. (MD)No.19949 of 2019

Rajkumar

... Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.The Deputy Superintendent of Police,
Alangulam Circle,
(Incharge) - Ambasamudram Circle,
Tirunelveli District.

3.The Inspector of Police,
Ambasamudram Police Station,
Madurai District.

... Respondents

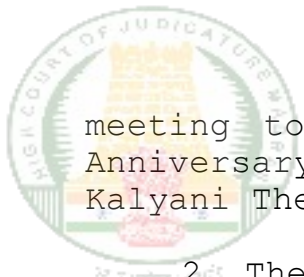
PRAYER:- Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order of the 2nd respondent made in Na.Ka.No.196/Sae.Mu/Kaa. Thu.Ka.E/2019, dated 14.09.2019 and quash the same as illegal, consequently direct the 2nd and 3rd respondents to grant police permission and protection to the public meeting to March the 111th Birth Anniversary of Late. Chief Minister Aringer Anna on 17.09.2019 at about 04.00 p.m. to 10. p.m. at opposite to Kalyani Theatre, Ambasamudram, Tirunelveli District within the time limit stipulated by this Court.

For Petitioner : Mr.K.Anbarasan

For Respondents : Mr.R.Aanandharaj
Additional Public Prosecutor

O R D E R

This Writ Petition has been filed challenging the order passed by the second respondent in Na.Ka.No.196/Sae.Mu/Kaa. Thu.Ka.E/2019, dated 14.09.2019, and thereby, rejecting the representation made by the petitioner for granting permission and protection to the public



meeting to be conducted on 17.09.2019 in the eve of 111th Birth Anniversary of Late. Chief Minister Aringer Anna at opposite to Kalyani Theatre, Ambasamudram, Tirunelveli District.

2. The learned counsel for the petitioner would submit that the petitioner is a Member of political party and their party decided to conduct a public meeting in the eve of 111th Birth Anniversary of former Chief Minister of Tamilnadu Late. Aringer Anna. In this regard, the petitioner gave a representation on 10.09.2019. But the third respondent, by the impugned order dated 14.09.2019, has mechanically rejected the petitioner's representation for the reason that there would be law and order problem and also considering the enforcement of Section 30(2) of the Police Act. He further submitted that there is absolutely no inter-party quarrel between the same political party and they are also prepared to abide any conditions imposed by the third respondent for grant of permission to conduct the said meeting.

3. The learned Additional Public Prosecutor submitted that the place, in which, the petitioner sought for permission to conduct the public meeting is a very sensitive place and there would be law and order problem, if the petitioner is permitted to conduct public meeting. He further submitted that there is a inter-party dispute between the same political party and if the petitioner is permitted to conduct the meeting, there would be a law and order problem and also which against the provisions under Sections 30(2) of the Police Act. Therefore, the request of the petitioner is rightly rejected by the second respondent and he prayed for dismissal of the writ petition.

4. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents and perused the materials available on record.

5. The petitioner seeks permission to conduct a public meeting on the eve of the 111th Birth Anniversary of former Chief Minister of Tamilnadu Late. Aringer Anna on 17.09.2019 at opposite to Kalyani Theatre, Ambasamudram, Tirunelveli District. According to the third respondent, if the meeting is permitted to conduct at opposite to Kalyani Theatre, Ambasamudram, there will be a law and order problem, since there is a inter-party dispute between the petitioner and other groups.

6. The learned Additional Public Prosecutor also submitted that if the petitioner seeks permission for away than the place of opposite to Kalyani Theatre, Ambasamudram, Tirunelveli District and also on some other date, the respondent police can consider their request. Further, it is also seen that now the date for sought in the petition to conduct the public meeting is also over.



7.Considering the facts and circumstances of the case, the petitioner is directed to submit their representation to the third respondent to conduct the public meeting on future date and also different place other than the place opposite to Kalyani Theatre, Ambasamudram, Tirunelveli District and on receipt of the same, the third respondent is directed to consider the said representation and pass appropriate orders, within a period of one week from the date of representation from the petitioner.

8. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
- 2.The Deputy Superintendent of Police,
Alangulam Circle,
(Incharge) - Ambasamudram Circle,
Tirunelveli District.
- 3.The Inspector of Police,
Ambasamudram Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court
Madurai

+1 CC to M/s.K.ANBARASAN, Advocate (SR-87366[F] dated 18/09/2019)

W.P. (MD)No.19949 of 2019
17.09.2019

vsd

JMN(18.09.2019) 3P : 6C