



WEB COPY

W.P.(MD)No.22337 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.11.2019

CORAM:

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

W.P. (MD)No.22337 of 2019

and

W.M.P. (MD)No.19101 of 2019

S. Balasubramanian

...Petitioner

-Vs-

1.The Superintendent of Police
O/o.The Superintendent of Police,
Pudukkottai District, Pudukkottai.

2.The Deputy Superintendent Of Police, Pudukkottai,
Pudukkottai District.

3.The Inspector of Police
Town Police Station, Pudukkottai,
Pudukkottai District.

... Respondents

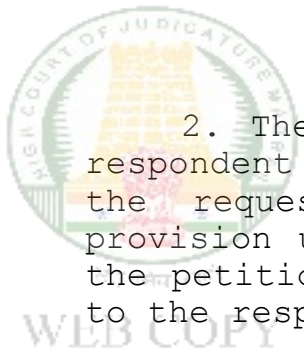
Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.No.64/B-1 PS/PDK/2019 dt.12/10/2019 on the file of the Respondent No.3 and quash the same as illegal and consequently for a direction, directing the respondents to grant permission to the petitioner to conduct peaceful demonstration by means of continuous fasting at Thilagar Thidal, Pudukkottai town, Pudukkottai District on 07/11/2019 at about 9.00AM or any other subsequent date.

For Petitioner
For Respondents

: Mr.T.Lajapathi Roy
: Mr.K.Suyambulinga Bharathi
Government Advocate(crl.side)

ORDER

This Writ Petition has been filed challenging the impugned order passed by the third respondent dated 12.10.2019 in Na.Ka.No.64/B-1 PS/PDK/2019, thereby rejecting the permission sought by the petitioner to conduct peaceful demonstration by means of continuous fasting at Thilagar Thidal, Pudukkottai Town, Pudukkottai District, on 07.11.2019.



2. The only point raised by the petitioner is that the third respondent has no jurisdiction to pass the impugned order, rejecting the request of the petitioner for demonstration as per the provision under Section 30(1) of the Police Act, 1861. Therefore, the petitioner also submitted another representation on 15.10.2019 to the respondents 1 and 2 herein for fresh consideration.

3. The third respondent filed a counter affidavit stating that the request was rejected only for the reason that there would be a law and order problem between the same Community people. Further it is seen that the investigation has already been transferred to the file of the Central Bureau of Investigation (C.B.I) and the C.B.I also closed and filed the final report on 27.03.2019.

4. However, considering the above facts and circumstances, the second respondent is directed to consider the representation of the petitioner, dated 15.10.2019 on merits and in accordance with law forthwith after giving opportunity to the petitioner.

5. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Records)

// True Copy //

Sub Assistant Registrar(CS)

Ls

To

1.The Superintendent of Police
O/o.The Superintendent of Police,
Pudukkottai District, Pudukkottai.

2.The Deputy Superintendent Of Police, Pudukkottai,
Pudukkottai District.

3.The Inspector of Police
Town Police Station, Pudukkottai,
Pudukkottai District.

W.P. (MD)No.22337 of 2019
01.11.2019

NSM(CO)
KK(01.11.2019) 2P 4C