



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.01.2020

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THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Writ Petition (MD) No.139 of 2020

Thamizhpithan

... Petitioner

Vs.

1.The Assistant Commissioner of Police,
City Range (Law & Order),
Madurai.

2.The Inspector of Police,
Theppakkulam Police Station,
Madurai.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the respondent to give permission to conduct Public Meeting regarding Citizenship Amendment Act at Munichchalaai Road near Madurai East Corporation Office, Madurai on 07.01.2020 from 06.00 p.m. to 10.00 p.m.

For Petitioner : Mr.G. Bhagavath Singh

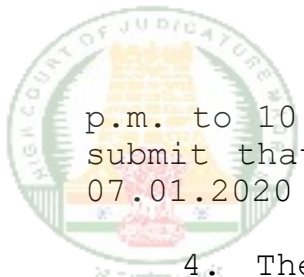
For Respondents : Mrs.S.Bharathi
Government Advocate (Crl. side)

ORDER

This writ petition has been filed to direct the respondents to give permission to conduct Public Meeting regarding Citizenship Amendment Act at Munichalai Road near Madurai East Corporation Office, Madurai on 07.01.2020 from 06.00 p.m. to 10.00 p.m.

2.Heard the learned Counsel appearing for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondents.

3.Even though the writ petition has been filed seeking a direction to the respondent to give permission to conduct Public Meeting regarding Citizenship Amendment Act at Munichalai Road near Madurai East Corporation Office, Madurai on 07.01.2020 from 06.00



p.m. to 10.00 p.m, now the learned counsel for the petitioner would submit that the petitioner is prepared to conduct demonstration on 07.01.2020 at 06.00 p.m to 08.00 p.m.

4. The learned Government Advocate (Crl. side) would submit that the specified places are fixed in the City of Madurai for conducting demonstration and that the respondents have rejected the permission to conduct the public meeting. She would further submit that if the petitioner is prepared to conduct demonstration at Palanganatham Roundana and near Jayam Theatre for 2-hours i.e., between 06.00 p.m to 08.00 p.m, the respondents have no objection for granting permission.

5. At this juncture, the learned counsel for the petitioner would submit that the petitioner is prepared to conduct demonstration on 07.01.2020 at Palanganatham Roundana and near JM Theatre between 06.00 p.m and 08.00 p.m. He would further submit that the organizers are prepared to abide by the same condition that was imposed on them during the earlier order.

6. In view of the same, the respondent police are directed to grant permission for conducting the demonstration, by enclosing the following conditions:

i) The demonstration shall be conducted on 07.01.2020 between 6.00 and 08.00 p.m at Palanganatham Roundana and near JM Theatre, Madurai.

ii) The petitioner shall ensure that no untoward incident is caused disturbing the public peace and tranquillity; iii) The petitioner shall ensure proper first aid arrangements by keeping one or two doctors in the venue; iv) Songs praising communal leader or having communal overtones should not be played; v)

The petitioner will ensure that no flex board or hoardings depicting particular community or leader will be displayed;

vi) If there is any violation of any one of the conditions imposed, the concerned Police Officer is at liberty to take necessary action, as per law and stop such performance;

vii) Similarly, the Police is empowered to stop the function, if it exceeds beyond the permitted time;

viii) the participants of the demonstration shall not intake any kind of toxic substance or liquor during the demonstration;

ix) If any untoward incident takes place, the the organizers of the demonstration will be made responsible for the same;

x) The respondent police is at liberty to impose any further restrictions or to impose any conditions purely in



*the interest of preserving public order and tranquillity,
so as to maintain law and order and communal harmony.*

7. The petitioner is also directed to ensure that the conditions are strictly complied with and also to ensure that no law and order problem is created in the course of conducting the demonstration.

8. The writ petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CRL.SIDE)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

1.The Assistant Commissioner of Police,
City Range (Law & Order),
Madurai.

2.The Inspector of Police,
Theppakkulam Police Station,
Madurai.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.G.BHAGAVATHSINGH, Advocate (SR-413[F] dated 06/01/2020)

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