



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 21.01.2020

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THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Writ Petition(MD)No.1044 of 2020

M.Kadar Batcha

... Petitioner

Vs.

1.The Commissioner of Police,
Office of the Commissioner of Police,
Madurai City.

2.The Assistant Commissioner of Police,
Madurai Town,
Madurai City.

3.The Inspector of Police,
B-1 Vilakkuthoon Police Station,
Madurai City.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to grant permission for Public Meeting on 22.01.2020, Time 4.30 p.m to 09.30 p.m at Opula Padithurai, Munichalai Road, Madurai regarding NRC, NPR, CAA based on the petitioner's representation dated 10.01.2020.

For Petitioner : Mr.D.Haroon Rasheed

For Respondents : Mrs.S.Bharathi
Govt. Advocate (crl.side)

O R D E R

This writ petition has been filed seeking for a direction to the respondents to grant permission for Public Meeting on 22.01.2020 between 4.30 p.m and 09.30 p.m at Opula Padithurai, Munichalai Road, Madurai regarding NRC, NPR, CAA based on the petitioner's representation dated 10.01.2020.

2.The learned counsel for the petitioner would submit that the petitioner is the District President of All India Majlis - E - Ittehadul Muslimeen Party having office at No.1D, Ismayilpuram 12th Street, Munichalai Road, Madurai - 625 009. He has been working



among the marginalized people for their socio, economic and political development and empowerment. Recently, the house of parliament enacted the bill regarding CAA and the petitioner's National Leader namely, Barrister Assaduddin Owaisi who is the Member of Parliament had opposed the same at the time of passing the Bill in the house itself. He would further submit that regarding the same, the petitioner's party convened a meeting all over India. As far as Madurai City is concerned, the petitioner's party had decided to conduct public meetings on 22.01.2020 between 4.30 p.m and 09.30 p.m. In this regard, the petitioner sent a representation to the respondents on 10.01.2020. Since no action has been taken so far, the present writ petition has been filed.

3.The learned Government Advocate(Crl.side) would submit that the Deputy General of Police, Tamilnadu had issued the circular/memorandum in R.C.007301/Genl I(1)/2019, dated 09.04.2019, which contains conditions for procession and also other events and would submit that if the petitioner approaches the respondent Police with a fresh application and undertaking to abide by the conditions enumerated in the memorandum, dated 09.04.2019, it will be suitably considered. She would further submit that the respondent police have no objection to conduct the public meeting, however, they have only objection regarding the place where permission is sought for and if the petitioner is agreeable to conduct the public meeting at an alternative venue, where usually meetings are conducted, they have no objection.

4.At this juncture, the learned counsel for the petitioner would submit that the petitioner is agreeing to conduct the public meeting at the place in Ambika Theatre, where usually permission is granted for conducting meetings.

5.The learned Government Advocate (criminal side), on instructions from the respondent police, would submit that the respondent police have no objection if the petitioner is ready to conduct the public meeting at the place in Ambika Theatre subject to conditions.

6.In view of the above situation, this Court is inclined to direct the respondent police to grant permission to the petitioner to conduct the public meeting. Accordingly, the Assistant Commissioner of Police, Anna Nagar, Madurai is directed to grant permission to the petitioner to conduct the public meeting on 22.01.2020 between 4.50 pm and 9.30 pm at the venue near Ambika Theatre. The petitioner is directed to give an undertaking affidavit mentioning that they will not violate any of the conditions imposed on them by the respondent police. It is left open to the Assistant Commissioner of Police, Anna Nagar, Madurai to impose any reasonable conditions, for the purpose of giving such permission to the petitioner and the petitioner is duty bound to comply with the



conditions without fail. If the petitioner or the member belonging to his party violate any of the conditions imposed by the Assistant Commissioner of Police, Anna Nagar, Madurai, it is left open to him to take action in accordance with law.

7.The writ petition is disposed of with the above direction.
No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

- 1.The Commissioner of Police,
Office of the Commissioner of Police, Madurai City.
- 2.The Assistant Commissioner of Police,
Madurai Town, Madurai City.
- 3.The Inspector of Police,
B-1 Vilakkuthoon Police Station, Madurai City.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to:

- 1.The Assistant Commissioner of Police,
Anna Nagar, Madurai.
- 2.The Inspector of Police,
Anna Nagar Police Station,
Anna Nagar, Madurai.

+2 CC to M/s.D.S.HAROON RASHEED, Advocate (SR-2242[F] 21/01/2020)

order made in
Writ Petition(MD)No.1044 of 2020
21.01.2020

skn

SDS(21.01.2020) 3P-9C

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