



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2020

CORAM:

THE HONOURABLE **MR. JUSTICE A.D. JAGADISH CHANDIRA**

W.P. (MD) No.3208 of 2020

V.Parameshwaran

... Petitioner

vs.

1.The District Superintendent of Police,
Aundipatti Circle, Andipatti,
Theni District.

2.The Sub Inspector of Police,
Aundipatti Police Station,
Aundipatti, Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the first respondent in his proceedings in Na.Ka.No.05/Kha.Thu.Ka/Aundipatti/2020 dated 11.02.2020 and quash the same and consequently direct the respondents to give permission for conducting demonstration in the name and style of street corner continuous demonstration on 15.02.2020 or any other date which is convenient for respondents in the month of February 2020.

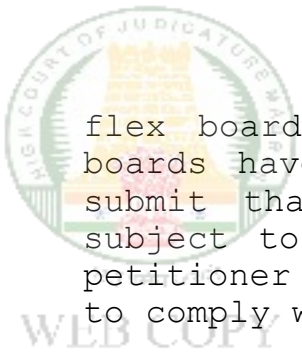
For Petitioner : Mr.P.Sivachandran
For Respondents : Mrs.S.Bharathi,
Government Advocate(Crl.side)

O R D E R

This writ petition has been filed to quash the proceedings in Na.Ka.No.05/Kha.Thu.Ka/Aundipatti/2020 dated 11.02.2020 passed by the first respondent and consequently direct the respondents to give permission for conducting demonstration in the name and style of street corner continuous demonstration on 15.02.2020 or any other date which is convenient for respondents in the month of February 2020.

2. Heard the learned Counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

<https://hcservices.ecourts.gov.in/hcservices/>
3.The learned Government Advocate(Crl.side) appearing for the respondents would submit that apart from erecting stage and using loud speaker, the petitioner has also sought for permission to fix



flex boards. He would further submit that installation of flex boards have been banned throughout the State. However, he would submit that the respondent police is ready to grant permission subject to imposing certain conditions and restrictions which the petitioner should comply with by giving written undertaking agreeing to comply with the conditions imposed by the respondent police.

4. The apprehension of the respondents is taken note of. In view of the same, the respondents police are directed to grant permission for conducting the demonstration on 29.02.2020, by enclosing the following conditions:

1) The demonstration scheduled to be held on 29.02.2020 by the petitioner at Sri Murugan Theatre, Theni Road, Aundipatti, Theni District should be completed within the time frame fixed by the respondent police;

2) The petitioner and other participants shall not raise any slogan against any party or party leader, any caste, community or creed;

3) The petitioner shall ensure that no untoward incident is caused disturbing the public peace and tranquillity;

4) Public address system can be used only within permissible limits;

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

6) There should not be any Flex Boards representing any community or political leaders;

7) 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;

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

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

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

11) The second respondent is at liberty to impose any further restrictions or to impose any condition purely in the interest of preserving public order and tranquillity, so as to maintain law and order and communal harmony.

5. 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.



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

Sd/
Assistant Registrar

/True copy/

WEB COPY

/ /2020
Sub Assistant Registrar

gns/cp

To

1.The District Superintendent of Police,
Aundipatti Circle, Aundipatti,
Theni District.

2.The Sub Inspector of Police,
Aundipatti Police Station,
Aundipatti, Theni District.

+1cc to Mr.P.Sivachandran,Advocate, SR.No.7985

W.P. (MD) No.3208 of 2020
21.02.2020

gns

KK/SAR/25.02.2020/3P-4C