



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2020

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WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) .No.4906 of 2020

1.Karuppasamy @ Kaniamuthan

.. Petitioner

Vs

1.The Superintendent of Police
Tenkasi District, Tenkasi.

2.The Deputy Superintendent of Police,
Sankarankovil sub-division,
Sankarankovil, Tenkasi District.

3.The Inspector of Police,
Sankarankovil Town Police Station,
Tenkasi District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Certiorarified Mandamus Calling for the records pertaining to impugned order passed by the 3rd respondent vide his office proceedings in Na.Ka.No.67/Sa.2-Police Station/Inspector, dated 01.03.2020 quash the same and consequently to direct the respondents to grant permission to the petitioner to conduct peaceful demonstration on 14.03.2020 between 10.00 a.m to 12.00 p.m (two hours) at Theradi Thidal, Sankarankovil Town, Tenkasi District.

For Petitioner	: Mr.Henri Tiphagne
For Respondents	: Mr.K.K.Ramakrishnan, Additional Public Prosecutor.

ORDER

The petitioner is a Office bearer of a political party/Viduthalai Siruthaigal Katchi. They want to hold a public meeting in Theradi Thidal, in Sankarankovil Town to voice their grievance regarding what is happening at Kurinjaankulam Village.

2.The learned Additional Public Prosecutor submitted that the date mentioned by the petitioner may posed certain issues. Addressing the concerns expressed by the learned Additional Public

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Prosecutor, the learned counsel for the petitioner in all fairness submitted that they would alter the date to 16.03.2020.

3.It is not in dispute that the site chosen by the petitioner is traditionally used for holding such meetings. The petitioner's counsel on instructions states that the meeting will be held from 10.00 a.m. to 12.00 noon (Two hours). The number of participants will not exceed 300. The petitioner will conduct the event in such a way that the general flow of traffic will not be affected in any manner. The decibel level of amplifier will be well within the permissible limits. The petitioner agrees that the Speakers will not make any hate speech.

4.The learned Additional Public Prosecutor strongly felt that public peace that is prevailing may be vitiated if hate speeches are made. The petitioner will ensure that the speakers addressing the meeting will not speak in a way so as to cause disaffection among the communities. In this view of the matter, the order impugned in this writ petition is quashed. The second respondent is directed to issue fresh proceedings incorporating the conditions mentioned above permitting the petitioner to hold the meet on 16.03.2020.

5.This writ petition stands allowed accordingly.

Sd/-
Assistant Registrar

/TRUE COPY/

/ /2020
Sub Assistant Registrar

To

- 1.The Superintendent of Police
Tenkasi District, Tenkasi.
- 2.The Deputy Superintendent of Police,
Sankarankovil sub-division,
Sankarankovil, Tenkasi District.
- 3.The Inspector of Police,
Sankarankovil Town Police Station,
Tenkasi District.

+1. C.C. to M/S.P.KARUNANIDHI, Advocate SR.No. 11213

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JM/SAR 1/12.03.2020/2P/5C