



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.03.2021

CORAM:

THE HONOURABLE **MRS. JUSTICE R. THARANI**

WP(MD)No.6296 of 2021

and

W.M.P. (MD)No.4908 of 2021

WEB COPY

Soma Shanmugam

... Petitioner

Vs.

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Pudukottai District.
- 2.The Election Officer For
178-Kantharvakottai Assembly Constituency,
and District Scheduled Castes and Scheduled Tribes Welfare
Officer ,
Pudukottai District.
- 3.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Alangudi Sub Division, Pudukottai District .
- 4.The Inspector of Police,
Karambakudi Police Station,
Pudukottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Certuiorarified Mandamus, calling for the records connected to the order in Na.Ka.No.25581/2020/Q3 dated 09.03.2021 and toquash the same, consequently directing the Respondents to grant permission to stage demonstration at Town panchayat Ground (Perooratchi Thidal) in Karambakudi between 15.03.2021 to 25.03.2021.

For Petitioner

:Mr.S.Malaikani

For Respondents

:Mr.S.Chandrasekar
Additional Public Prosecutor

O R D E R

By consent, this Writ Petition is taken for final hearing.

2. On the side of the petitioner, it is stated that the petitioner is the District Organizer of an Association, viz., Periyar Ambedkar Makkal Iyakkam and they want to go for a



demonstration on 11.03.2021, but, the respondents rejected permission and thereby, curtailed the fundamental rights of the petitioner, freedom of speech and freedom of peaceful assembly. All the political parties are holding meetings every day and the respondents are giving them permission, but, the respondents refused permission for the petitioner alone. The petitioner is ready to change the date of demonstration and prayed that the permission sought for by the petitioner to be granted by the respondents.

3. On the side of the respondents, it is stated that there is a possibility for communal clash and apprehension of danger to public tranquility and on the report of the Deputy Superintendent of Police, Alangudi/R3, the Election Officer has rejected the request of the petitioner.

4. The first representation was rejected by the respondents. Now, the petitioner has given a second representation changing the date of demonstration. The respondents are hereby directed to decide the merits of the petition within a period of three days in accordance with the situation prevailing in the said locality.

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

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

Ls

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Pudukottai District.
2. The Election Officer For 178-Kantharvakottai Assembly
Constituency,
and District Scheduled Castes and Scheduled Tribes Welfare
Officer ,
Pudukottai District.



3.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Alangudi Sub Division, Pudukottai District .

4.The Inspector of Police,
Karambakudi Police Station,
Pudukottai District.

+1 CC to M/s.S.MALAIKANI, Advocate (SR-12619[F] dated 19/03/2021)

WP (MD) No. 6296 of 2021
19.03.2021

SSS (CO)
KK (23.03.2021) 3P 6C