



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.11.2021

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.19714 of 2021

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T.Karventhan

... Petitioner

Vs.

1.State rep. by the Director General of Police,
Dr.Radhakrishnan Salai, Mylapore, Chennai.

2.State rep. by
The District Collector,
Collectorate Campus, Karur.

3.State rep. by
The Deputy Superintendent of Police,
Karur Town Sub Division, Karur District.

4.State rep. by
The Inspector of Police,
Karur Town Police Station, Karur.

5.State rep. by
The Tashildhar, Karur.

6.K.S.Raj Gounder

7.S.Ramamorthi
(R7 is impleaded vide order dated 29.11.2021
in W.M.P.(MD)No.16986 of 2021)

8.Muniyasamy ... Respondents
(R8 is suo motu impleaded vide order dated
29.11.2021 in WP(MD)No.19714/2021)

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order dated 23.10.2021 in Na.Ka.No.373/Kaa.Thu.Ka/Ka.Oo/Karur/2021 issued by the 3rd respondent and quash the same and consequently direct the 3rd respondent to permit the petitioner to conduct the release of book on any suitable date fixed by this Court at Kongu Vellalar Thirumana Mandapam, Kamarajapuram, Karur between 02.00 pm to 06.30 pm with adequate police protection.



For Petitioner : Mr.R.Senthil Kumar

For Respondents : Mr.M.Sakthi Kumar,
Govt. Advocate (Crl. Side) for R1 to R5

Mr.R.Anand for R6

Mr.P.Dhanasekaran for R7

Mr.A.Rajini for R8

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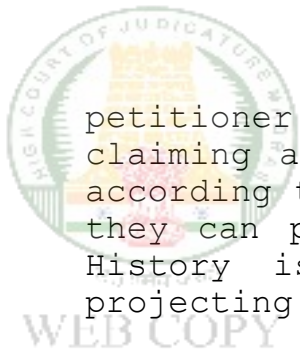
ORDER

Heard the learned counsel on either side.

2.The petitioner organized a book release function. The book is titled "வேளாளர்கள் ஆய்வு நூல் தொகுதி-1". It has been authored by one Dr.Nandhar @ Thangam Viswanathan. The function was scheduled to be held in Kongu Vellalar Thirumana Mandapam, Kamarajarpuram, Karur on 25.10.2021. Objections were raised. A peace committee meeting was convened. Thereafter, the Deputy Superintendent of Police, Karur Division passed the impugned order dated 23.10.2021 denying permission for holding the event. Questioning the same, this writ petition came to be filed.

3.It is seen that objection has been raised by the private respondents since in the book in question it has been claimed that King Valvil Ori belongs to Kongu Vellalar community. The contention of the private respondents is that the said King has been traditionally recognized as belonging to Vettuva Gounder community. They placed reliance on the decision of the Hon'ble Supreme Court reported in **(2007) 5 SCC 11 (Baragur Ramachandrappa and ors v. State of Karnataka)** and the order dated 20.10.2017 passed by the Hon'ble Division Bench of this Court in WP.Nos.17615 of 2013 etc., According to them, the claim put forth in the book is not only false and amounts to historical distortion but also is showing seeds for future social conflict. The learned counsel would contend that a balance has to be struck and a book containing objectionable content cannot be permitted to be published.

4.I am not concerned with the correctness of the rival assertions. To me, King Valvil Ori is an iconic figure and in any event, the question that arises for determination is whether the petitioner can be permitted to hold the event. Merely because a particular point of view not palatable to the private respondents is projected in this book, that is not a ground to deny permission to the petitioner. Article 19 (1) (a) of the Constitution of India is very much available for the petitioner. This right of the



petitioner cannot be taken away. After all, the author is only claiming a particular King belongs to a particular community. If according to the private respondents this is an incorrect assertion, they can publish another book countering the petitioner's version. History is not like mathematics. There is always room for projecting rival versions.

5.The petitioner gives an undertaking before this Court that he would respect the right of the private respondents herein to contend that King Valvil Ori belongs to their community. If the private respondents hold any function in this regard, the petitioner will not oppose the holding of such an event. This undertaking is recorded.

6.In this view of the matter, the order impugned in this writ petition is set aside. The petitioner is permitted to submit a fresh application to the third respondent. The third respondent shall permit the petitioner to hold the book release function. The third respondent can stipulate suitable conditions regarding date and time so as to ensure the smooth conduct of the event. The petitioner shall adhere to the police directives that may be issued in this regard. The writ petition is allowed. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (AS)

// True Copy //

/ /2021
Sub Assistant Registrar(CS)

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 Director General of Police,
Dr.Radhakrishnan Salai, Mylapore, Chennai.
- 2.The District Collector, Collectorate Campus, Karur.
- 3.The Deputy Superintendent of Police,
Karur Town Sub Division, Karur District.

<https://hcservices.ecourts.gov.in/hcservices/>



4.The Inspector of Police, Karur Town Police Station, Karur.

5.The Tashildhar, Karur.

+1 CC to M/s.P.DHANASEKARAN, Advocate (SR-36251[F] dated 29/11/2021)

+1 CC to M/s.R.SENTHIL KUMAR, Advocate (SR-36349[F] dated 29/11/2021)

+1 CC to M/s.R. ANAND, Advocate (SR-36602[F] dated 30/11/2021)

**W.P (MD) No.19714 of 2021
29.11.2021**

SA/17.12.2021/4P/9C