



WEB COPY

W.P.(MD)No.21935 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.21935 of 2021

and

W.M.P. (MD)No.18504 of 2021

P.Madhukkanperumal

... Petitioner

-Vs-

- 1.The Superintendent of Police,
O/o. The Superintendent of Police,
Dindigul District,
Dindigul.
- 2.The Deputy Superintendent of Police,
O/o. the Deputy Superintendent of Police,
Ottanchathram,
Dindigul District.
- 3.The Inspector of Police,
Edayakottai Police Station,
Dindigul District.
- 4.The Sub Inspector of Police,
Ottanchathram Police Station,
Dindigul District.
- 5.Chinnasamy,
The Sub Inspector of Police,
Edayakottai Police Station,
Dindigul District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.No.37/Forecast/O.Ka.Vni/2021 dated 05.12.2021 on the file of the fourth respondent and quash the same as illegal and consequently, direct the respondents to grant permission to conduct a demonstration on 14.12.2021 at about 10.00 a.m to 2.00 pm or any other date near Railway Junction, Ottanchatram, Dindigul District within the time stipulated by this Court.

For Petitioner : Mr.T.Thirumurugan
For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor



ORDER

This Writ Petition has been filed challenging the rejection order passed by the Sub Inspector of Police, Ottanchathram Police Station.

2.The petitioner wants to hold a demonstration condemning police atrocities. The petitioner has specified the venue as well as date and timings. It is true that the lock down imposed in the wake of Covid-19 pandemic is yet to be fully lifted. However, social life has been substantially returned to normalcy. The purpose of issuing prohibitory orders is not to ban such demonstration altogether. The authorities can only regulate. That apart, the fourth respondent has no jurisdiction to pass the impugned order of rejection. It is therefore set aside.

3. The second respondent is directed to grant permission to the petitioner to conduct the petition mentioned event. However, the second respondent is entitled to incorporate appropriate conditions to ensure the smooth conduct of the event.

4.The petitioner through his counsel gives an undertaking that the organizers of the event will adhere to the police directives.

5.Recording the said undertaking, this Writ Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Rmi

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,
O/o. The Superintendent of Police,
Dindigul District,
Dindigul.



2.The Deputy Superintendent of Police,
O/o. the Deputy Superintendent of Police,
Ottanchathram,
Dindigul District.

3.The Inspector of Police,
Edayakottai Police Station,
Dindigul District.

4.The Sub Inspector of Police,
Ottanchathram Police Station,
Dindigul District.

5. The Sub Inspector of Police,
Edayakottai Police Station,
Dindigul District.

+1 CC to M/s.T.THIRUMURUGAN, Advocate (SR-38208[F] dated 10/12/2021)

W.P. (MD)No.21935 of 2021
10.12.2021

RS (10.12.2021) 3P-7C