



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.12.2021

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) .No.22983 of 2021

WEB COPY

Abdullah @ Sheik Abdullah

... Petitioner

Vs.

1.The Commissioner of Police,
Office of Commissioner of Police,
Trichy City.

2.The Inspector of Police,
Gandhi Market Police Station,
Trichy District.

... Respondents

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 passed by the second respondent by its letter dated 20.12.2021 in C.No.363/Inspr/GMPS/TRC/2021 as illegal and consequently, direct the respondents to grant permission to conduct demonstration for attention to the Government on 27.12.2021, from 03.00 pm to 06.00 pm. at Palakarai Roundana, Trichy District, regarding the premature release of all life convict prisoners who were detained since long back by complying all precaution measures in the pandemic situation, based on the petitioner's representation, dated 19.12.2021.

For Petitioner : Mr.D.S.Haroon Rasheed

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

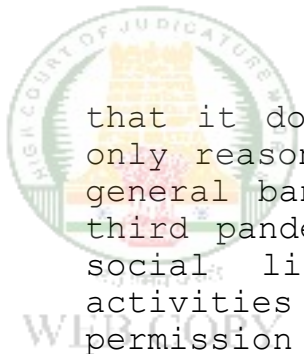
ORDER

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

2. The petitioner is the President of a local association. They want to hold a demonstration on 27.12.2021 between 03.00 p.m and 06.00 p.m at the petition mentioned place for voicing certain demands. The petitioners undertake to comply with the social distancing norms. The petitioner gave a representation, dated 19.12.2021. It was rejected by the second respondent by the impugned order. Questioning the same, this writ petition has been filed.

3. The learned Additional Public Prosecutor appearing for the respondents submitted that the impugned order contains reasons and

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that it does not call for any interference. It is seen that the only reason for rejecting the petitioner's request is that there a general ban imposed on agitations and meetings in the wake of the third pandemic wave. I can take judicial notice of the fact, that social life has substantially returned to normalcy. Normal activities have resumed. Therefore, it may not be fair to deny permission to the petitioner to hold the demonstration in question. Therefore, the impugned order is set aside. The second respondent is directed to grant permission to the petitioner to hold the petition mentioned event. However, it is open to the second respondent to restrict the number of hours as well as the number of participants. The second respondent can also impose other conditions so as to ensure the smooth conduct of the event. The petitioner, through this counsel, gives an undertaking that the organizers of the event will scrupulously adhere to the police directives.

4. Recording the said undertaking, the writ petition is allowed. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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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 Commissioner of Police,
Office of Commissioner of Police,
Trichy City.
- 2.The Inspector of Police,
Gandhi Market Police Station,
Trichy District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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MGJ(05.01.2022) 2P 4C

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