



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.05.2022

CORAM:

THE HONOURABLE MR.JUSTICE **M.S.RAMESH**

W.P. (MD)No.9379 of 2022

WEB COPY

Palanisamy

.. Petitioner

Vs

1.The Superintendent of Police,
Tenkasi,
Tenkasi District.

2.The Deputy Superintendent of Police,
Sankarankovil Sub Division,
Tenkasi District.

3.The Inspector of Police,
Town Police Station,
Sankarankovil,
Tenkasi 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 and quash the proceedings dated 27.04.2022 on the file of the third respondent herein and consequently direct the respondents to grant permission to celebrate the Birth day Function and to conduct Rally from Gomathi Ammal Junction to ARR Marriage Hall on 08.05.2022.

For Petitioner : Mr.K.K.Ramakrishnan

For Respondents : Mr.B.Thanga Aravindh

Government Advocate (Crl. side)

ORDER

This writ petition has been filed to quash the proceeding, dated 27.04.2022, on the file of the third respondent herein and consequently, direct the respondents to grant permission to celebrate the Birth day Function and to conduct Rally from Gomathi Ammal Junction to ARR Marriage Hall on 08.05.2022.

2. By consent, the writ petition itself is taken up for final disposal.

3. When the petitioner herein is sought for permission to conduct the procession in celebration of the birthday of one Ayya Durai Pandian by his name, the same came to be rejected by the



respondent police stating that the procession consisting of 200 Women and 100 men in the public road will cause traffic jam and inconvenience to the general public. Challenging the order, the present writ petition has been filed.

4. Today, when the matter was taken up for hearing, the learned counsel appearing for the petitioner submitted that they are giving up the claim to conduct rally in the public place and the permission may be granted for conducting the same in a private hall. Such permission cannot be denied by the respondents, since the birthday function is proposed to be conducted inside the hall without disturbance to the public.

5. In view of the above submissions, the petitioner is granted liberty to approach the second respondent seeking such permission with a representation and on receipt of such representation, the second respondent herein shall consider the same on the same day and grant such permission, subject to reasonable restrictions that may be imposed.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Vacation Officer/
Assistant Registrar

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

trp/vsg

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,
Tenkasi,
Tenkasi District.



2.The Deputy Superintendent of Police,
Sankarankovil Sub Division,
Tenkasi District.

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

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.K. RAMAKRISHNAN, Advocate (SR-23550[F] dated
06/05/2022)

W.P. (MD)No.9379 of 2022

06.05.2022

srr(CO)

TR(06.05.2022) 3P 6C