



W.P(MD)No.15805 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.07.2022

CORAM :

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P(MD)No.15805 of 2022

N.Beemaroo

...Petitioner

Vs.

1.The Superintendent of Police,
O/o the Superintendent of Police,
Tirunelveli District.

2.The Deputy Superintendent of Police,
O/o. Deputy Superintendent of Police,
Ambasamudram,
Tirunelveli District.

3.The Inspector of Police,
Ambasamudram Police Station,
Tirunelveli District.

4.The Sub Inspector of Police,
Ambasamudram Police Station,
Tirunelveli 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 pertaining to the impugned order in 04/FORECAST/POLITICAL/E1PS/200, dated 17.07.2022 on the file of the respondent No.4 and quash the same as illegal, consequently direct



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the respondent No.1 and 2 to grant permission to conduct a public meeting near Kalyani Theatre in Ambasamudram, Tirunelveli District on the commemoration of Manjulai Labourers Massacre (மாஞ்சோலைப் போராளிகள் வீரவணக்க நினைவேந்தல்) Memorial event on 31.07.2022 from 04.00 p.m. by considering the petitioner's representation dated 18.07.2022.

For Petitioner : Mr.I.Pinaygash

For Respondents : Mr.M.Sakthi Kumar
Government Advocate (crl.side)

ORDER

This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order in 04/FORECAST/POLITICAL/E1PS/200, dated 17.07.2022 on the file of the respondent No.4 and quash the same as illegal, consequently, direct the respondent Nos.1 and 2 to grant permission to conduct a public meeting near Kalyani Theatre in Ambasamudram, Tirunelveli District on the commemoration of Manjulai Labourers Massacre (மாஞ்சோலைப் போராளிகள் வீரவணக்க நினைவேந்தல்) Memorial event on 31.07.2022 from 04.00 p.m. by considering the petitioner's representation dated 18.07.2022.



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2.Mr.M.Sakthikumar, learned Government Advocate (Criminal Side) takes notice for the respondents. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3.The learned counsel appearing for the petitioner submitted that every year, a public meeting on the commemoration of Manjulai Labourers Massacre (மாஞ்சோலைப் போராளிகள் வீரவணக்க நினைவேந்தல்) Memorial is conducted. This year also, the petitioner people is decided to conduct a meeting near Kalyani Theatre in Ambasamudram, Tirunelveli District on 31.07.2022. In respect of the same, they sought permission of the police by giving representation dated 17.07.2022. But the fourth respondent has rejected the same. Challenging the same, the present writ petition has been filed the above said relief.

4.The learned Government Advocate (Crl.side) appearing for the respondent police submitted that the place chosen by the petitioner is a crowded area and the public will be disturbed. He suggested three places namely, Agasthiyarpuram, Gowthamapuri village and backside of Omega mill. He further submitted that if the petitioner has chosen in any one of



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the places as mentioned above, the respondent police is ready to give permission.

5. I have considered the submission of the learned counsel appearing for the petitioner and the learned Government Advocate (criminal side) appearing for the respondents police.

6.The learned counsel appearing for the petitioner submitted that the petitioner is ready to choose other place mentioned above for conducting the meeting.

7.It is noted that the first respondent police, without considering the circular of the Director General of Police, Tamil Nadu, Chennai in Rc.007301/Genl.I (1)/2019 dated 09.04.2019, passed the impugned order.

8. In view of the circular issued by the Director General of Police, Tamil Nadu, Chennai in Rc.007301/Genl.I (1)/2019 dated 09.04.2019, the impugned order passed by the second respondent dated 17.07.2022 is hereby set aside.



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9. In view of the above fact, the petitioner is directed to give undertaking not to create any law and order problem while conducting the public meeting. The third respondent is hereby directed to grant permission to conduct public meeting at any one of the three places suggested by the respondent police.

10. With the above direction, this Writ Petition stands disposed of.

No costs.

21.07.2022

Index : Yes / No
Internet : Yes/ No
vsd

Note: Issue Order Copy on 21.07.2022

To

1. The Superintendent of Police,
O/o the Superintendent of Police,
Tirunelveli District.
2. The Deputy Superintendent of Police,
O/o. Deputy Superintendent of Police,
Ambasamudram,
Tirunelveli District.
3. The Inspector of Police,
Ambasamudram Police Station,
Tirunelveli District.



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- 4.The Sub Inspector of Police,
Ambasamudram Police Station,
Tirunelveli District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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