



W.P(MD)No.16044 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.07.2022

CORAM :

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P(MD)No.16044 of 2022

and

W.M.P(MD) No.11596 of 2022

Muthaiah Ramar

...Petitioner

Vs.

1. The Commissioner of Police,
Tirunelveli City,
Tirunelveli.

2. The Assistant Commissioner of Police,
Junction Circle,
Tirunelveli City,
Tirunelveli.

3. The Inspector of Police,
Tirunelveli Town Police Station,
Tirunelveli.

4. The Inspector of Police,
Thatchanallur Police Station,
Tirunelveli.

5. The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the second respondent vide his Proceedings in C.No.90/FC/AC Town Range/TIN-C/2022, dated 19.07.2022, quash the same and further directing the second respondent to permit the petitioner to conduct a peaceful public meeting at Tirunelveli Town South Car Street, Vagaiadi Munai on 23.07.2022 at about 05.00 P.M.

For Petitioner : Mr.A.Jayaramachandran
For Respondents : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)

ORDER

This Writ Petition has been filed challenging the impugned order passed by the second respondent vide his Proceedings in C.No.90/FC/AC Town Range/TIN-C/2022, dated 19.07.2022.

2. The learned counsel for the petitioner submitted that the writ petitioner sought permission to conduct a public meeting at Tirunelveli Town South Car Street, Vagaiadi Munai on 23.07.2022 at about 05.00 P.M., which was dismissed by the second respondent, on the ground that



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the place for conducting public meeting is a very crowded area and it will create law and order problem. The learned counsel further submitted that the petitioner's party has conducted public meetings regularly on the remembrance day of 17 workers of Mancholai Plantation, every year and the meeting will be conducted peacefully and prays to quash the impugned order and to direct the second respondent to give permission to conduct the meeting.

3. The learned Government Advocate (Crl Side) appearing for the respondents submitted that the petitioner was permitted to pay homage before the Sahunthala Hotel, at 12.30 P.M., to 13.30 P.M., similarly, the police provided permission to 22 other political parties to pay homage to the above said Mancholai plantation workers before the Sahunthala Hotel. In these circumstances, conducting a public meeting in this regard, that too in a place mentioned by the petitioner at Tirunelveli Town South Car Street, Vagaiadi Munai, cannot be permitted. Hence, the second respondent rejected the same and this writ petition deserves to be dismissed.



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4. I have considered the submissions made by the learned counsel on either side.

5. A perusal of the records reveals that the writ petitioner gave a representation to the second respondent police on 24.06.2022, seeking permission to conduct public meeting at Tirunelveli Town South Car Street, Vagaiadi Munai on 23.07.2022 at about 05.00 P.M. In the impugned order, it is recorded that the permission sought for the place for conducting public meeting ie., Tirunelveli Town, South Ratha Veethi is a very narrow place. If permission is granted, public transport will be affected and it will create law and order problem. Therefore, the same was rejected. Apart from that, it is seen from the records that the police had granted permission to 22 political parties, including this petitioner, to pay homage to the Mancholai Plantation Workers on 23.07.2022, before the Sagunthala Hotel at 12.30 P.M to 13.30 P.M and had allotted different timings for the parties, in order to avoid law and order problem.



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6. In these circumstances, the petitioner seeking permission to conduct public meeting at Tirunelveli Town, South Car Street, Vagaiadi Munai cannot be accepted. Therefore, the impugned order does not warrant any interference and there is no merit in this petition.

7. Accordingly this Writ Petition is dismissed. Consequently the connected Miscellaneous Petition is closed. No costs.

22.07.2022

Index :Yes/No
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3. The Inspector of Police,
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4. The Inspector of Police,
Thatchanallur Police Station,
Tirunelveli.
5. The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli.
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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