



W.P.(MD)No.23289 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 06.10.2022

CORAM:

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

W.P.(MD)No.23289 of 2022

Abdul Nazar

... Petitioner

versus

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

2. The Inspector of Police,
Kadaiyanallur Police Station,
Tenkasi District,
Tenkasi.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the respondents to grant permission to conduct public meeting scheduled as per petitioner's notice to be held on 09.10.2022 between 6 p.m. and 10.10 p.m. at Kaide Millat Ground, Kadayanallur, Tenkasi District by considering the petitioner's representation dated 28.07.2022 and 03.10.2022.



WEB COPY



W.P.(MD)No.23289 of 2022

For Petitioner : M/s.Syed Alin

For Respondents : Mr.M.Sakthi Kumar,
Government Advocate (Crl. Side)

ORDER

This writ petition is filed seeking a direction to the respondents to grant permission to conduct a public meeting scheduled to be held on 09.10.2022 between 6 p.m. and 10.10 p.m. at Kaide Millat Ground, Kadayanallur, Tenkasi District, by considering the petitioner's representation dated 28.07.2022 and 03.10.2022.

2. The learned counsel appearing for the petitioner submits that the National Thowheed Front had proposed to conduct a Public Meeting on 09.10.2022 between 6 p.m. and 10.10 p.m. at Kaide Millat Ground, Kadayanallur, Tenkasi District. In this regard, a representation was also made before the second respondent in person on 28.07.2022, seeking to grant permission to conduct a public meeting



W.P.(MD)No.23289 of 2022

from 6 p.m. and 10.10 p.m. on 09.10.2022 at Kaide Millat Ground, Kadayanallur, Tenkasi District. However, the second respondent has not passed any order by granting permission to the petitioner. Hence, the petitioner is before this Court.

3. The learned Government Advocate (Crl. Side) raised certain objections stating that the respondent Police received representations from the petitioner and also from another group to conduct a programme on the same day, i.e. 09.10.2022 from 6.00 p.m. to 10.00 p.m. in the same place. After receipt of the said representations, the respondent Police issued a notice to the petitioner calling upon him to attend the enquiry, but, he did not turn up for the enquiry. Therefore, the respondent Police gave permission to another group to conduct the prize distribution programme on 09.10.2022 from 6.00 p.m. to 10.00 p.m. at Kaide Millat Ground, Kadayanallur, Tenkasi District. He further submits that if the petitioner chooses another place for conducting a public meeting, the respondent Police would consider the



W.P.(MD)No.23289 of 2022

same.

WEB COPY

4. In reply, the learned counsel for the petitioner submits that the representation given by the petitioner was earlier one to the representation given by another group. Therefore, the petitioner must be given preference for conducting the programme. He further submits that they have already printed the invitation and also distributed the same throughout the State and nearly 2000 people are going to attend the public meeting. Therefore, he prays to grant permission to conduct the public meeting.

5. A perusal of the representation given by the another group shows that they planned to conduct the prize distribution programme on 02.10.2022 at 6.30 p.m. to 10.00 p.m. and subsequently, they postponed the programme to 09.10.2022. Further, as rightly pointed out by the learned counsel for the petitioner, the representation given by the petitioner was earlier one to the representation given by another



W.P.(MD)No.23289 of 2022

group. Though the learned Government Advocate (Crl. Side) submits that the petitioner has not appeared before the respondent police for enquiry, no order has been passed on the petitioner's representation and no proof has been filed by the respondent Police to that effect.

6. Considering the fact that the petitioner's representation was earlier one to the representation given by another group, some importance must be given to the petitioner for the reason that they have already distributed invitation throughout the State and nearly 2000 people are going to attend the public meeting. Therefore, this Court directs the respondent Police to permit the petitioner to conduct a public meeting on 09.10.2022 from 6.00 p.m. to 10.00 p.m. at Kaide Millat Ground, Kadayanallur, Tenkasi District and permit another group to conduct their function on the same day, i.e. on 09.10.2022 from morning 11.00 a.m. to 3.00 p.m. in the same place.



W.P.(MD)No.23289 of 2022

WEB COPY

7. With the above direction, the writ petition is disposed of.

No costs.

06.10.2022

ogy

Index : Yes / No

Internet: Yes / No.

Note : Issue order copy on 07.10.2022

To

1. The Superintendent of Police,
Tenkasi District,
Tenkasi.
2. The Inspector of Police,
Kadaiyanallur Police Station,
Tenkasi District,
Tenkasi.



WEB COPY



W.P.(MD)No.23289 of 2022

T.V.THAMILSELVI, J.

ogy

W.P.(MD)No.23289 of 2022

06.10.2022