WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.10.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE SATHI KUMAR SUKUMARA KURUP**

W.P.(MD)No.24432 of 2022

Ganesan ... Petitioner

/vs./

1. The Superintendent of Police
   Ramanathapuram District
   Ramanthapuram.

2. The Deputy Superintendent of Police
   Ramanathapuram
   Ramanathapuram District

3. The Inspector of Police
   Bazaar Police Station
   Ramanthapuram District ... Respondents

PRAYER**:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus calling for the records pertaining to the impugned rejection order passed by the 2nd respondent police in his proceedings in Na.Ka.No.437/முகாம்/காதுக/இராம/2022 dated 17.10.2022 and quash the same as illegal and consequently direct the 2nd and 3rd Respondents to give permission and adequate police protection for conducting the peaceful

https://www.mhc.tn.gov.in/judis

WEB COPY

protest conducted by the petitioners party on 01.11.2022 at about 11.00 A.M., in front of the Aranmanai, Ramanathapuram, Ramanathapuram District.

For Petitioner : Mr.A.Arputharaj

For Respondents : Mr.R.Sivakumar
Government Advocate(Crl.Side)

ORDER

The Petitioner has filed the above Writ Petition to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned rejection order passed by the 2nd Respondent police in his proceedings in Na.Ka.No.437/முகாம்/காதுக/இராம/2022 dated 17.10.2022 and quash the same as illegal and consequently direct the 2nd and 3rd Respondents to give permission and adequate police protection for conducting the peaceful protest conducted by the Petitioners party on 01.11.2022 at about 11.00 A.M., in front of the Aranmanai, Ramanathapuram, Ramanathapuram District.

2.The learned Government Advocate(Crl.Side) takes notice for the Respondents. By consent, the Writ Petition itself is taken up for final disposal.

https://www.mhc.tn.gov.in/judis

WEB COPY

3.Heard the learned Counsel for the Petitioner and the learned Government Advocate(Crl.Side) appearing for the Respondents.

4.The learned Counsel appearing for the Petitioner would submit that the Petitioner is a political organization working for the Tamil people development. He had sought permission to protest demanding certain reservation for the people of Tamil Nadu with the Respondents 1 to 3 to hold protest in front of the Aranmanai, Ramanathapuram, Ramanathapuram District. The same was rejected by the second Respondent. Against which he has filed the present petition.

5.The learned Government Advocate(Crl.Side) appearing for the Respondents, on instructions, would submit that for a period of two months from 9th September 2022 till 09.11.2022, there is prohibitory order issued under Section 144 (1) of Cr.P.C in the Ramanathapuram District by the District Collector on 07.09.2022. Further the learned Government Advocate(Crl.Side) would submit that instead of Aranmanai, the Petitioner can choose an alternate place as the said place is an congested area and it will cause hindrance to the school students and general public who are using the public place.

https://www.mhc.tn.gov.in/judis

WEB COPY

6.In view of the vehement objection raised by the learned Government Advocate(Crl.Side), the Petitioner is directed to file fresh petition with alternate venue and alternate date for protest since prohibitory order has been issued under Section 144 (1) of Cr.P.C in the Ramanathapuram District till 09.11.2022. Further the Respondents 1 to 3 are directed to receive fresh application from the Petitioner regarding the same and pass orders on merits and in accordance with law.

7. With the above direction, the Writ Petition stands disposed of. No costs.

27.10.2022

Index : Yes / No
Internet : Yes / No
aav

Note: Issue Order Copy on 27.10.2022.

https://www.mhc.tn.gov.in/judis

WEB COPY

To:

1. The Superintendent of Police
   Ramanathapuram District
   Ramanthapuram.

2. The Deputy Superintendent of Police
   Ramanathapuram
   Ramanathapuram District

3. The Inspector of Police
   Bazaar Police Station
   Ramanthapuram District

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

https://www.mhc.tn.gov.in/judis

WEB COPY

SATHI KUMAR SUKUMARA KURUP, J.

aav

W.P.(MD)No.24432 of 2022

27.10.2022

https://www.mhc.tn.gov.in/judis