



W.P(MD)No.27859 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2022

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.27859 of 2022

M.P.Nagarajan

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Tirunelveli Rural Sub-Division,
Thalaiyuthu,
Tirunelveli District.

3.The Inspector of Police,
Gangaikondan 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 passed by the second respondent vide his office proceedings in Na.Ka.No. 671/Ka.tho.ka/Thiliuragam/2022 dated 05.12.2022 and quash the same and consequently direct the respondents to grant permission to the



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petitioner to conduct peaceful demonstration on 13.11.2022 between 10.30 a.m. to 12.30 p.m. at SIPCOT at Gangaikondan, Tirunelveli District.

For Petitioner : Mr.P.T.Ramesh Raja
For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

This writ petitioner filed this Writ Petition seeking for issuance of a Writ of Mandamus to call for the records pertaining to the impugned order passed by the second respondent vide proceedings in Na.Ka.No. 671/Ka.tho.ka/Thiliuragam/2022 dated 05.12.2022 and quash the same and consequently direct the respondents to grant permission to the petitioner to conduct peaceful demonstration on 13.11.2022 between 10.30 a.m. to 12.30 p.m. at SIPCOT at Gangaikondan, Tirunelveli District.

2. Heard the learned counsel appearing for the writ petitioner and the learned Additional Public Prosecutor appearing for the respondents.



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3. The learned counsel appearing for the writ petitioner would submit that they sought for permission to conduct agitation on 10.12.2022 at 10.30 a.m. and the Deputy Superintendent of Police/second respondent, by considering the same, has passed an order dated 05.12.2022 rejecting the permission sought for, to conduct agitation.

4. As rightly contended by the learned counsel appearing for the writ petitioner, the reason assigned by the second respondent for rejecting the prayer sought by the writ petitioner is not proper and is not in accordance with law.

5. At this juncture, the learned Additional Public Prosecutor appearing for the respondents would submit that the writ petitioner may be directed to give afresh representation and the second respondent may be directed to consider the same.

6. Recording the submissions made on either side, the writ petitioner is directed to give afresh representation to the second respondent and on such representation, the second respondent is directed to consider the same positively and pass orders in accordance with law



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within a period of three days from the date of receipt of a copy of this order by imposing necessary conditions.

7. With the above directions, this Writ Petition stands disposed of.

No cost.

20.12.2022

Index :Yes/No

Internet : Yes/ No

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To

- 1.The Superintendent of Police,
Tirunelveli,
Tirunelveli District.
- 2.The Deputy Superintendent of Police,
Tirunelveli Rural Sub-Division,
Thalaiyuthu,
Tirunelveli District.
- 3.The Inspector of Police,
Gangaikondan Police Station,
Tirunelveli District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J

csn

Order made in
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Dated : 20.12.2022