



WEB COPY



W.P.No.1872 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.No.1872 of 2023

T.James Raja

... Petitioner

Vs.

1. The Superintendent of Police,
Coimbatore District.

2. The Inspector of Police,
East Police Station,
Pollachi, Coimbatore District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Mandamus, directing the respondents to grant permission and provide suitable police protection for conduct of public meeting at Thiruvalluvar Thidal, Pollachi on 25.01.2023 (Wednesday) so as to salute and pay homage to the martyrs of Tamil language who had sacrificed their lives against the compulsoy imposition of 'Hindi' language in our state, considering the petitioner representation dated 07.01.2023.

For Petitioner : Mr.C.Iyyapparaj

For Respondent : Mr.S.Santhosh

Government Advocate (Crl.Side)



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ORDER

The Writ Petition has been filed to direct respondent respondents to grant permission and provide suitable police protection for conduct of public meeting at Thiruvalluvar Thidal, Pollachi on 25.01.2023 (Wednesday) so as to salute and pay homage to the martyrs of Tamil language who had sacrificed their lives against the complulsoy imposition of 'Hindi' language in our state, considering the petitioner representation dated 07.01.2023.

2. The learned counsel for the petitioner submitted that every year Students Wing of AIADMK Party of Coimbatore District would salute and pay homage to Martyrs of Tamil Language who had sacrificed their lives against the compulsory imposition of Hindi language in the state of Tamil Nadu. This year Martyrs day meeting is scheduled on 25.01.2023. The petitioner plans to observe the Martyrs day at Thiruvalluvar Thidal at Pollachi District. Petitioner is conducting this meeting for the last three decades. In this regard, petitioner gave a representation to the respondent on 07.01.2023 for seeking permission. But, till now no action was taken. Therefore, present petition is filed.



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3. In response, the learned Government Advocate (Crl. Side) submitted that the respondents received similar representations from DMK party of Pollachi on 06.01.2023 for observing Martyrs day on the same day at the same place. Since the representation from the DMK Party is prior to the representation of the petitioner, the respondents would give preference to the DMK Party in giving permission for conducting public meeting on Martyrs day on 25.01.2023 at Tiruvalluvar Thidal, Pollachi. He further submitted that there is an alternative venue near Rajeshwari Mahal, Pollachi and if the petitioner is ready to give representation to conduct Martyrs day near Rajeshwari Mahal, Pollachi, that would be considered.

4. In reply, the learned Counsel for the petitioner submitted that the petitioner has been conducting Martyrs day for the past thirty years in the Thiruvallur Thidal, Pollachi and therefore, this Court may permit to perform the Martyrs day at the same venue on the same day earlier or later to the observance of Martyrs day by DMK Party.

5. In reply, the learned Government Advocate (Crl. Side) submitted that it is not possible to give permission for two rival political parties to



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observe Martyrs day in the same place on the same day for the reason that

the DMK Party has plans to erect stage and conduct meeting. Further, if two rival political parties are permitted to conduct Martyrs Day meeting on the same day at same place at different timings, it may lead to law and order problem.

6. Considered the rival submissions. Taking into consideration the submissions made by the learned Government Advocate (Crl. Side) that there were two rival political parties had given representation for observing Martyrs day on the same day at same place, in which the representation of the DMK Party is earlier to the representation of the petitioner, this Court directs the respondent police to consider the DMK Party's representation dated 06.01.2023 and pass appropriate orders to permit the observance of Martyrs day at Thiruvalluvar Thidal at Pollachi. So far as the petitioner's representation is concerned, respondent police is directed to consider giving permission to conduct Martyrs day meeting at the alternative venue near Rajeshwari Mahal, Pollachi at 6.00 P.M. This Court further directs the petitioner to give fresh representation to the respondent police for observance at the alternative venue. On receipt of such representation, the



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respondent is directed to pass appropriate orders including giving permission for observing Martyrs day with necessary and appropriate conditions to both the parties.

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

24.01.2023

Index :Yes/No
Internet:Yes/No
Sma

NOTE : Issue Order copy on 24.01.2023

To

1. The Superintendant of Police,
Coimbatore District.
2. The Inspector of Police,
East Police Station,
Pollachi, Coimbatore District.
3. The Public Prosecutor,
Madras High Court.



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G.CHANDRASEKHARAN, J.

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