



WEB COPY



W.P.No.17723 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2023

CORAM

THE HON'BLE Mr. JUSTICE **G.CHANDRASEKHARAN**

W.P.No.17723 of 2023

S.Viswanathan

...Petitioner

Vs.

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

2.The Inspector of Police,
Erode South Police Station,
Erode,
Erode District.

Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, to consider and dispose the petitioner's representation dated 05.06.2023 and to direct the respondents to grant permission for conducting peaceful protest and demonstration on 19.06.2023 at 10.00 A.M. near Chimni Hotel, Erode.

For Petitioner : Mr.B.Mohan

For Respondents : Mr.Leonard Arul Joseph Selvam

Government Advocate (Crl. Side)

(For R1 and R2)



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ORDER

This Writ Petition has been filed for the issuance of Writ of Mandamus, to consider and dispose the petitioner's representation dated 05.06.2023 and to direct the respondents to grant permission for conducting peaceful protest and demonstration on 19.06.2023 at 10.00 A.M. near Chimni Hotel, Erode.

2.The learned counsel for the petitioner submitted that petitioner submitted a representation dated 05.06.2023 to give a Police protection for agitation to be scheduled on 19.06.2023, opposite to Chimni Hotel Road. No order has been passed on this representation. Therefore, this petition.

3.In response, the learned Government Advocate (Criminal side) submitted that petitioner's representation was considered and permission sought for was rejected for the reason that, there is a possibility of spread of corona disease and that place where protest is scheduled is a busy place where the traffic movement and public movement is heavy. If permission is granted that would affect the free flow of public movement, school and college going students and that ultimately, it may result in law and order issue. For all these reasons, the permission was



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rejected.

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4.Considered the rival submissions and perused the records.

5.It is seen from the representation of the petitioner that petitioner requested the Inspector of Police, Erode South Police Station, Erode, not only to provide Police protection, but also to provide Saamiyana pandhal, loud speaker and mike facility. Petitioner cannot ask the Inspector of Police, South Police Station Erode, to provide Saamiyana pandhal, loud speaker and mike facility. That apart from the order passed it is evident that the place where protest is scheduled is a busy place where the traffic movement and public movement is heavy. The movement of school and college going children would be more at the time scheduled for protest. It is also apprehended that if permission was granted, there is a possibility of law and order issue. Thus, this Court finds that the permission was rightly rejected by the respondents and therefore petitioner's prayer cannot be entertained.

6.Accordingly, this Writ Petition stands dismissed.

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Speaking Order: Yes/No

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G.CHANDRASEKHARAN.J.,

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To

- 1.The Superintendent of Police,
Erode,
Erode District.
- 2.The Inspector of Police,
Erode South Police Station,
Erode,
Erode District.
3. The Public Prosecutor,
High Court of Madras.

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