



Writ Petition No.23253 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.23253 of 2023

Mohammed Ali Jinna,
S/o.Emam Hussain.

...Petitioner

Vs

1.The Superintendent of Police,
Office of the Superintendent of Police,
Cuddalore,
Cuddalore District.

2.The Deputy Superintendent of Police,
Neyveli Sub Division,
Cuddalore District.

3.The Inspector of Police,
Neyveli Town Police Station,
Neyveli.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records relating to the rejection order dated 31.07.2023 in Na.Ka.No.247/Kaa.Thu.ka.A.N./2023 passed by the 2nd Respondent and Quash the same and consequently direct the 2nd Respondent to grant



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permission for conducting demonstration on 05.08.2023 or any other day that may be chosen by me on based upon my representation dated 31.07.2023.

For Petitioner : Mr.S.Shankar

For Respondent R1 to R3 : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

This petition has been filed challenging the rejection order dated 31.07.2023 passed by the 2nd respondent and for a consequential direction to the 2nd respondent to grant permission for conducting the demonstration on 05.08.2023 or on any other day based on the representation made by the petitioner on 31.07.2023.

2. When the matter was taken up for hearing on 07.08.2023, this Court passed the following order :-

Mr.A.Damodaran, learned Additional Public Prosecutor takes notice on behalf of the respondents.

2.The learned Additional Public Prosecutor shall produce the order passed in the connected writ petition wherein, this Court had taken in to consideration the demonstration that was conducted and which resulted in law and order problem causing huge damage. Without



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understanding the ground reality, this Court cannot mechanically pass orders in the writ petition. Hence, the order passed in the connected writ petition will have some bearing while deciding this writ petition.

3.Post this case on 18.08.2023.

3. When the matter was taken up for hearing today, the learned Additional public Prosecutor produced the order passed by this Court in WP No.22745 of 2023. This Court had issued certain directions and one such direction was to the Government to initiate appropriate action if any law and order problem is created and to ensure that peace and tranquility is maintained in the locality.

4. In the considered view of this Court, the date on which the petitioner had arranged for the demonstration is already over. It is left open to the petitioner to make a fresh representation to the 1st respondent seeking for permission to conduct demonstration and it is left open to the 1st respondent to consider the same on its own merits after considering the prevailing situation.



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5. This writ petition is disposed of accordingly. No costs.

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Index : Yes/No
Speaking order:Yes/No
Neutral citation:Yes/No
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To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Cuddalore,
Cuddalore District.
- 2.The Deputy Superintendent of Police,
Neyveli Sub Division,
Cuddalore District.
- 3.The Inspector of Police,
Neyveli Town Police Station,
Neyveli.
- 4.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

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