

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.26369 of 2023

U.Sudhakar

.. Petitioner

Versus

1. State rep by:-

Superintendent of Police,
Office of the Superintendent of Police,
Thiruvarur District.

2. Circle Inspector of Police,
C-4, Kottur Police Station,
Thiruvarur District.

3. Inspector of Police,
S-3, Thirukkalaar Police Station,
Thiruvarur District.

..Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned orders in Na.Ka.No.01/Ka.Aa/Kottur/2023, Na.Ka.No.02/Ka.Aa/Kottur/2023, dated 11.08.2023 and Na.Ka.No.02/Kaa.Aai/Thirukkalaar/2023, dated 16.08.2023 and quash them and consequently directing the respondents to grant permission for the petitioner either on 15.09.2023 and 16.09.2023 or any other mutually agreed

dates for the purpose of conducting the meeting as sought for in the representation, dated 16.09.2023 made by the petitioner.

For Petitioner : Mr.M.Kavin Castro

For Respondents : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

This Writ Petition has been filed challenging the proceedings of the second respondent, dated 11.08.2023 and 16.08.2023 and for a consequential direction to permit the petitioner to conduct meeting as requested through representation, dated 16.09.2023.

2. Heard Mr.M.Kavin Castro, learned Counsel for the petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor for the respondents.

3. When the matter came up for hearing on 08.09.2023, the learned Additional Public Prosecutor sought for some time to take instructions in this case. Accordingly, the matter was posted for hearing today and the learned Additional Public Prosecutor, on instructions, submitted that a fresh application can be given by the petitioner by fixing the date of the meeting after 24.09.2023.

4. In the light of the above submission made by the learned Additional Public Prosecutor, it is not necessary for this Court to go into the merits of the case and deal with the impugned rejection letters issued by the second respondent.

5. The petitioner is the District Organizer of a political party and they wanted to raise certain social and political issues and particularly the violence that is perpetrated in the State of Manipur. A protest was already conducted by the party in this regard and they had earlier submitted applications for conducting street meetings on three different dates at three different places. The protest that was conducted by them earlier on 09.08.2023 went on without there being any adverse law and order problem. The petitioner wanted to conduct two more meetings at two other venues. This request was rejected by the second respondent and as a result, the present Writ Petition has been filed before this Court.

6. Taking into consideration the facts and circumstances of the case and the submission of the learned Additional Public Prosecutor, there shall

be a direction to the petitioner to make a fresh application / representation to the first respondent by fixing the dates on which they are going to conduct the street meeting. The petitioner shall also indicate in the representation the site / alternate sites where they want to conduct meetings. The same shall be considered by the first respondent and permission shall be granted in an appropriate place where such protest meeting can be conducted peacefully without giving raise to any law and order problem by imposing reasonable conditions.

7. This Writ Petition is disposed off with the above directions. No costs.

11.09.2023

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Thiruvavur District.
2. The Circle Inspector of Police,
C-4, Kottur Police Station,

Thiruvarur District.

3. The Inspector of Police,
S-3, Thirukkalaar Police Station,
Thiruvarur District.
4. The Public Prosecutor,
High Court of Madras.

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N.ANAND VENKATESH, J.
grs

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