



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.09.2023

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.27402 of 2023

Mr.Kongu Yuvaraj, M/A-4 Y
S/o.Palani

...Petitioner

-Vs-

The Inspector of Police
Gobichettipalayam Police Station
Erode District.

...Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records in Na.Ka.No.20/Mike/G1PS/2023 dated 31.8.2023 in which the impugned order was passed by the respondent and quash the same and consequently direct the respondent to give permission to the petitioner to protest by carrying a black flag in the public place at Gobichettipalayam Erode District in peaceful manner.

For Petitioner : Mr.R.K.Gandhi

For respondent : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This petition has been filed challenging the rejection order passed by the respondent through proceedings dated 31.8.2023 and for a consequential



direction to the respondent to grant permission to the petitioner to protest as per the request made by the petitioner through representation dated 29.8.2023.

2. Heard Mr.R.K.Gandhi, learned counsel for the petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor for the respondent.

3.The request made by the petitioner has been rejected mainly on the ground that the protest was planned to be conducted at Gobichettipalayam Bus Stand. According to the respondent, the proposed agitation was fixed on 4.9.2023 at 10.00 a.m., and at that time, the bus stand will be crowded and it will cause hardship to the School and college going students.

4.In the considered view of this Court, the reason assigned by the respondent cannot be faulted. On a workday, if the protest is made at 10.00 a.m., in the main bus stand, it will certainly cause inconvenience to the general public. Therefore, this Court is not inclined to interfere with the impugned proceedings dated 31.8.2023, passed by the respondent.

5.It is left open to the petitioner to make a fresh representation to the respondent and fix the protest day on a Sunday at the Gobichettipalayam Bus Stand and this protest shall not exceed one hour. The date and time shall be informed to the respondent and the respondent shall grant the permission by



imposing necessary conditions. The respondent shall ensure that the protest does not give rise to any law and order problem. The petitioner shall strictly comply with the conditions imposed by the respondent for conducting the protest.

6. In the result, this writ petition is disposed of in the above terms. No costs.

19.09.2023

Index : Yes/No
Internet : Yes/No
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To

1. The Inspector of Police
Gobichettipalayam Police Station
Erode District.

2. The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J.
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