



W.P.(MD)No.16918 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 19.07.2023

CORAM

**THE HONOURABLE DR.JUSTICE D.NAGARJUN**

**W.P.(MD)No.16918 of 2023**

M.Poolpandi

... Petitioner

Vs

- 1.The Superintendent of Police,  
Thoothukudi, Thoothukudi District.
- 2.The Deputy Superintendent of Police,  
Kovilpatti Sub Division,  
Thoothukudi District.
- 3.The Inspector of Police,  
Kayathar Police Station,  
Kayathar, Thoothukudi District.

...Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the third respondent vide his office proceedings in C.No.18-2/Forecast/D6PS/2023, dated 08.07.2023, quash the same and consequently to direct the respondents to grant permission to the petitioner to conduct a public meeting scheduled to be held on 23.07.2023 at Tirunelveli National Highways four way road, west side of Salai Pudur Toll Gate in a private land comprised in Survey Nos.547/4B1, 547/4B2, 547/B3, 547/6N1 and 547/7A1 within a time fixed by this Court.

For Petitioner : Mr.Henri Tiphagne

For R-1 to R-3 : Mr.E.Antony Sahaya Prabahar  
Additional Public Prosecutor



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## **ORDER**

The petitioner, who is stated to be a Law Graduate, has filed this Writ Petition seeking for quashment of the orders passed by the third respondent, dated 08.07.2023 vide proceedings in C.No. 18-2/Forecast/D6PS/2023, rejecting to grant permission to the petitioner for conducting a public meeting.

2. The petitioner stated to be the Honorary District Secretary of a Trust, by name, Hindu Mukkulathor Padhukappulyakkam, with its Registered No.6/2020, which is engaged in welfare activities to the people belonging to his Community. The main object of the Trust is to protect the rights of the people belonging to their community, imparting education and support them for securing the jobs. On 24.07.2023, the petitioner has submitted representations to the third respondent Police requesting permission for conducting a public meeting in a private land at Akilandamman Kovil Street.

3. The petitioner has filed W.P.(MD).No.8509 of 2023 before this Court, seeking direction to the Police to accord permission to conduct the public meeting. Said petition was disposed of, directing the petitioner to give an undertaking that he will restrict the number of participants in the meeting and

<https://www.mhctn.org.in/judicial> will not block the road, will not create public nuisance and does not cause law



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and order problem and on which the Police were instructed to consider the representation of the petitioner.

4. The petitioner has filed W.P.(MD).No.14509 of 2023 seeking similar direction as the Police fail to grant the permission even after giving undertaking by the petitioner and it was disposed of on 20.06.2023 with following directions:

*“5.The objection made by the learned Additional Public Prosecutor in W.P.(MD).No. 8509 of 2023 is again mentioned in this order. So, the above said order speaks itself about non application of mind.*

*6. The petitioner is directed to give fresh representation before the third respondent herein and also give undertaken as mentioned in the above said order within a week from the date of receipt of copy of this order. The above said fresh representation and the undertaking shall be considered by the third respondent herein within a week thereafter.”*

5. As directed, the petitioner has filed fresh representation before the Police along with a copy of the order in W.P.(MD).No.14509 of 2023. But respondent No.3 has raised 37 questions on 26.06.2023 and granted the



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permission in complete violation of directions of the High Court in W.P. (MD).No.14509 of 2023 and rejected the same on 08.07.2023. It is submitted that the reasons mentioned in the rejection order, dated 08.07.2023 in C.No. 18-2/Forecast/D6PS/2023 of the third respondent are totally unjust and against the directions of this Court and sought for passing of suitable directions, to the Police by quashing the impugned order of the Police dated 08.07.2023

6. Learned Additional Public Prosecutor, on the other hand, submits that there are about 17 cases pending against the petitioner and the place where the meeting is proposed to be conducted is not a safe place.

7. During the course of submissions, learned Additional Public Prosecutor after consulting with the concerned Police has reported that the respondent Police have no objections to conduct the meeting on 30.07.2023, if the petitioner proposed to conduct the meeting at Akilandamman Kovil Street on 30.07.2023 by restricting the number of participants to 500. The learned counsel for the petitioner has reported consent to the same. Accordingly, the Writ Petition is disposed of with the following conditions :

“(i). The petitioner can conduct the meeting only on 30.07.2023 with not more than 500 persons.

(ii). the vehicles shall not be parked either on



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the road or any other private place except at the meeting place.

(iii). The petitioner shall not pass any derogatory remarks against any caste, any religion, any group or on any political party.

(iv). The meeting shall be confined only to that extent of objects of the Trust, namely, to protect rights of the people belonging to the community, impart education and to support and guidance to secure the employment for the youth.

(v). the petitioner shall give a fresh undertaking to the third respondent by incorporating the above conditions.

(vi). in case, if the petitioner violates any of the conditions, the permission granted is deemed to have been vacated and the Police are at liberty to take suitable action.”

No costs.

**19.07.2023**

NCC:yes/no  
Index:yes/no  
Internet:yes/no  
tsg

<https://www.mhc.tn.gov.in/judis>

**DR.D.NAGARJUN, J.**



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To

- 1.The Superintendent of Police,  
Thoothukudi, Thoothukudi District.
- 2.The Deputy Superintendent of Police,  
Kovilpatti Sub Division,  
Thoothukudi District.
- 3.The Inspector of Police,  
Kayathaar Police Station,  
Kayathar, Thoothukudi District.
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

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