



W.P.(MD)No.20597 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD)No.20597 of 2023

and

W.M.P.(MD).No.17007 of 2023

Periyasamy

... Petitioner

Vs

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul District.
- 2.The Deputy Superintendent of Police,
Dindigul Rural,
Dindigul District.
- 3.The Sub Inspector of Police,
Thadikombu Police Station,
Dindigul District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records connected with the impugned order passed by the third respondent in C.No.60/E-4 PS/2023, dated 18.08.2023 and quash the same as illegal, consequently to direct the respondents to grant permission for conducting public meeting on 27.08.2023 at 06.00 P.M. or any other date at Santhai Thidal, Thadikombu, Dindigul District.



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For Petitioner : Mr.R.Alagumani

For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Criminal side)

ORDER

This Writ Petition is filed under Article 226 of the Constitution of India seeking for a direction to the respondent Police to grant permission for conducting a Public Meeting on 27.08.2023 at 06.00 P.M. at Santhai Thidal, Thadikombu, Dindigul District.

2. It is submitted by learned counsel for the petitioner that the petitioner, who belongs to Devandrakula Vellalar Community, is with an apprehension that their caste may be deleted from the list of SC, intends to stage dharna at Santhai Thidal, Thadikombu, Dindigul District, for which, the respondent Police have declined to grant the permission, as per the proceedings in C.No.60/E-4 PS/2023, dated 18.08.2023, on the ground, that if a permission is given, it may be caused law and order issue.

3. Learned Government Advocate (Criminal Side), on the other hand, submits that, when the petitioner is proposed to conduct the meeting, the rival party have given a representation stating that the permission shall not be granted and thereby, the Police suspecting the law and order problem, declined the permission.



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4. Staging the dharna in peaceful manner without causing any inconvenience to anybody is a constitutional right. When this matter is being taken up, learned Government Advocate (Criminal Side) has fairly submitted that the respondent Police will discuss with higher officials and permit the petitioner to conduct the meeting by providing conditions in respect of the place, time and number of persons to be participated in the meeting. The same is recorded.

5. Accordingly, this Writ Petition is disposed of, directing the petitioner to file a fresh application before the respondent Police by showing suitable alternative place in respect of the meeting where to be conducted, on which, the respondent Police after taking into consideration of all these aspects, including the intelligence and permit the petitioner to conduct the meeting by imposing suitable conditions as per the guidelines of the Police vide proceedings in Rc.007301/Genl.I (1)/2019, dated 09.04.2019. No costs. Consequently, the connected miscellaneous petition is closed.

24.08.2023

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

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



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To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul District.
- 2.The Deputy Superintendent of Police,
Dindigul Rural,
Dindigul District.
- 3.The Sub Inspector of Police,
Thadikombu Police Station,
Dindigul District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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DR.D.NAGARJUN, J.

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