



WEB COPY



WP.Nos. 9203, 9219, 9229 and 9278_ of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

WP.Nos.9203, 9219, 9229 and 9278 of 2024

ABT(a)M.Mahalingam

... Petitioner
(in all WPs')

Vs.

1. The Assistant Returning Officer/
District Backward Classes and
Minority Welfare Officer,
19-Nilgris Parliamentary Constituency,
112-Avinashi (Reserved) Legislative
Assembly Constituency,
Office of the District Backward Classes
and Minority Welfare Officer,
Tiruppur, Tiruppur District.

2. The Deputy Superintendent of Police,
Avinashi Police Range,
Tirupur District Police, Tirupur.

3. The Assistant Commissioner of Police,
Anupparpalayam Police Range,
Tiruppur City Police,
Tiruppur.

... Respondents
(in WP.No.9203 of 2024)

1. The Assistant Returning Officer/



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District Supply & Consumer
Protection Officer,
20-Coimbatore Parliamentary Constituency,
115- Palladam Legislative Assembly Constituency,
Office of the District Supply and Consumer
Protection Officer, Tiruppur,
Tiruppur District.

2. The Deputy Superintendent of Police,
Palladam Police Range,
Tiruppur District Police, Tiruppur.

... Respondents
(in WP.No.9219 of 2024)

1. The Assistant Returning Officer/
Sub Collector-Tiruppur
18- Tiruppur Parliamentary Constituency,
113- Tiruppur North Legislative Assembly Constituency,
Office of the Sub Collector, Tiruppur,
Tiruppur District.
2. The Assistant Commissioner of Police,
Kongu Nagar Police Range,
Tiruppur City Police, Tiruppur.
3. The Assistant Commissioner of Police,
Anupparpalayam Police Range,
Tiruppur City Police,
Tiruppur.

... Respondents
(in WP.No.9229 of 2024)

1. The Assistant Returning Officer/
Commissioner



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18- Tiruppur Parliamentary Constituency,
114- Tiruppur South Legislative Assembly Constituency,
Office of the Commissioner, Tiruppur Corporation,
Tiruppur. .

2. The Assistant Commissioner of Police,
Tiruppur South Police Range,
Tiruppur City Police, Tiruppur.

3. The Inspector of Police,
Tiruppur South Police Station,
Tiruppur City Police,
Tiruppur.

... Respondents
(in WP.No.9278 of 2024)

PRAYER in WP.No.9203 of 2024: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, directing to call for the records of the impugned order dated 21.03.2024 in "Na.Ka.No.848/2024/A1" of the first respondent and quash the same and consequently directing the first respondent to grant permission for conducting the "Public Rallies" with the Police Protection of the second and third respondents on 03.04.2024 between 9 am to 10 am, " Public Rallies" starting from Velampatti Toll Plaza and Avinashi both covering and ending at Tiruppur City Corporation Officer, where the "Demonstration of Attention" to be held, subject to reasonable restrictions.

PRAYER in WP.No.9219 of 2024: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, directing to call for the records of the impugned order dated 22.03.2024 in "Na.Ka.No.5333/2024/Kee3" of the first respondent and



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quash the same and consequently directing the first respondent to grant permission for conducting the "Public Rallies" with the Police Protection of the second respondent on 03.04.2024 between 9 am to 10 am, " Public Rallies" starting from Velampatti Toll Plaza and Avinashi both covering and ending at Tiruppur City Corporation Officer, where the "Demonstration of Attention" to be held, subject to reasonable restrictions.

PRAYER in WP.No.9229 of 2024: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, directing to call for the records of the impugned order dated 22.03.2024 in "Na.Ka.002/2024/Aa3" of the first respondent and quash the same and consequently directing the first respondent to grant permission for conducting the "Public Rallies" with the Police Protection of the second and third respondents on 03.04.2024 between 9 am to 10 am, " Public Rallies" starting from Velampatti Toll Plaza and Avinashi both covering and ending at Tiruppur City Corporation Officer, where the "Demonstration of Attention" to be held, subject to reasonable restrictions.

PRAYER in WP.No.9278 of 2024: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, directing to call for the records of the impugned order dated 21.03.2024 in "Na.Ka.6998/C11/2024" of the first respondent and quash the same and consequently directing the first respondent to grant permission for conducting the "Public Rallies" with the Police Protection



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of the second and third respondents on 03.04.2024 between 9 am to 10 am, " Public Rallies" starting from Velampatti Toll Plaza and Avinashi both covering and ending at Tiruppur City Corporation Officer, where the "Demonstration of Attention" to be held, subject to reasonable restrictions.

For Petitioner : Mr.K.Myilsamy

For Respondents : Mr.S.Udaya Kumar,
Government Advocate (Crl.Side)

COMMON ORDER

The petitioner herein, who is the District Coordinator of Tamilnadu Farmers Protection Sangam had sought permission to conduct rally to highlight the ordeal of the farmers. Since code of conduct is in force, the representation been considered by the Assistant Election Officer of Thiruppur Parliament Constituency and the same has been rejected by citing that the route of the rally passing through the National Highways. Therefore, it will cause hindrance to the free flow of traffic. Further, the said route covers the important institutions like Hospitals, Schools, Colleges and business premises and if permission is granted for a rally covering more than 30 kms, the public will be put at sufferance. The said order is now challenging in this writ petition.



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2. The learned Government Advocate (Crl.Side) states that due to ensuing election on 19.04.2024 providing bandobust for rally on Highways is very difficult and if shorter distance or an alternate route for any date after election ie., 19.04.2024 is sought, that will be positively considered subject to other parameters laid down by the Court.

3. Recording the above submissions, these Writ Petitions are disposed of with direction to the authorities to consider the fresh representation of the petitioner herein and pass appropriate order as per the guidelines issued by this Court earlier in respect of granting permission of public rally. No costs.

Vv

05.04.2024

To

1. The Assistant Returning Officer/
District Backward Classes and
Minority Welfare Officer,
19-Nilgris Parliamentary Constituency,
112-Avinashi (Reserved) Legislative
Assembly Constituency,
Office of the District Backward Classes
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2. The Deputy Superintendent of Police,
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Tirupur District Police, Tirupur.
3. The Assistant Commissioner of Police,
Anupparpalayam Police Range,
Tiruppur City Police,
Tiruppur.
4. The Assistant Returning Officer/
District Supply & Consumer
Protection Officer,
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115- Palladam Legislative Assembly Constituency,
Office of the District Supply and Consumer
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Tiruppur City Police,
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Commissioner
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Office of the Commissioner, Tiruppur Corporation,
Tiruppur. .
10. The Assistant Commissioner of Police,
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Tiruppur City Police, Tiruppur.
11. The Inspector of Police,
Tiruppur South Police Station,
Tiruppur City Police,
Tiruppur.

Dr.G.JAYACHANDRAN,J.

Vv



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