



W.P.No. 13186 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date : 09.05.2024

CORAM:

THE HON'BLE MR. JUSTICE K. KUMARESH BABU

W.P.No. 13186 of 2024

Arignar Anna Nesavaazhargal
Munnetra Sangam Tamil Nadu,
Represented by its President
Mr.V.P. Vijayan @ Kalam Vijayan
Head Office at No. 38, Pothatturpettai Town
Pallipattu Taluk,
Thiruvallur District - 631 208.

.. Petitioner

Versus

1.The District Collector/Election Officer
Thiruvallur District-602 001.

2.The Commissioner of Police
Avadi, Chennai-600 054.

3.The Superintendent of Police
Thiruvallur District-602 001.

4. The Deputy Superintendent of Police
Tirutani, Thiruvallur District-631 209.

5. The Inspector of Police,
R.K. Pettai, Thiruvallur District-631 301.



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6. The Sub Inspector of Police
D-6, Pothatturpet Police Station
Thiruvallur District-631 208.

7. The Revenue Divisional Officer
Tirutani Division,
Thiruvallur District-631 209.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, prays to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned rejection letter dated 03.05.2024 issued by the 6th respondent and quash the same and consequently to direct the respondents to grant permission and protection to hold 1st conference on 11.05.2024 at 9.30 a.m. to 8.00 p.m.

For Petitioner : Mr.R.Sathiyaraj
For RR 2 to 6 : Mr.L.Baskaran
Government Advocate (Criminal Side)

ORDER

This writ petition has been filed for quashing the impugned rejection letter dated 03.05.2024 issued by the 6th respondent and for consequential direction to the respondents to grant permission and protection to hold on 1st conference on 11.05.2024 at 9.30 a.m. to 8.00 p.m.



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2. The petitioner had produced the resolution of the petitioner's Association to conduct a meeting to be held on 11.05.2024. A reading of the same, would indicate that such a meeting is sought to be conducted for betterment of the members of the Association. It is also to be noted that by proceedings dated 24.04.2024, the first respondent/District Collector had accorded permission to the petitioner/Association to conduct the conference and the same has been addressed to the respondents 2, 3 and 7 herein in respect of granting permission. It is very surprising to note that the 6th respondent herein had rejected the request made by the petitioner/Association indicating a Model Code of Conduct, that has been implemented pursuant to the Lok Shaba Elections.

3. It is to be noted that the Election Polling concluded as early as on 19.04.2024 and the Election Commission had also relaxed certain conditions of the Model Code of Conduct. Further, from the resolution dated 07.04.2024 that has been passed by the petitioner/Association, it could be seen that the same has not been done by any political party which would offend the law and order situation.



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4. In view of the order passed by the first respondent/District Collector, it is incumbent on the part of the respondent-Police to grant police protection for the peaceful conduct of the conference to be conducted by the petitioner on 11.05.2024.

5. In view of the order passed by the 5th respondent, the impugned order is set aside and there shall be a direction to the respondents/Police to grant necessary police protection in accordance with law for peaceful conduct of the conference to be held on 11.05.2024 by the petitioner/Association.

6. With the above observations, the writ petition is allowed. No costs.

09.05.2024

Index : Yes/No
Internet : Yes/No
Speaking Order : Yes/No
MSM

Note: Issue order copy on 10.05.2024.

To
1.The District Collector/Election Officer
Thiruvallur District-602 001.



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2. The Commissioner of Police
Avadi, Chennai-600 054.

3. The Superintendent of Police
Thiruvallur District-602 001.

4. The Deputy Superintendent of Police
Tirutani, Thiruvallur District-631 209.

5. The Inspector of Police,
R.K. Pettai, Thiruvallur District-631 301.

6. The Public Prosecutor, High Court, Madras.

7. The Sub Inspector of Police
D-6, Pothatturpet Police Station
Thiruvallur District-631 208.

8. The Revenue Divisional Officer
Tirutani Division,
Thiruvallur District-631 209.



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K. KUMARESH BABU, J

MSM

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