



WP(MD)No.116 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.01.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE SATHI KUMAR SUKUMARA KURUP**

W.P.(MD) No.116 of 2024

P.Sasikumar

... Petitioner

/vs./

1.The Superintendent of Police,
Pudukkottai District,
Pudukkottai.

2.The Deputy Superintendent of Police,
Alangudi Sub Division,
Alangudi,
Pudukkottai District.

3.The Inspector of Police,
Karambakudi Police Station,
Pudukkottai 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 proceeding in Na.Ka.No.430/SDO/ALG/CAMP/2023 dated 04.12.2023 of the 2nd respondent herein and quash the same and consequently direct the 1st respondent to grant permission to the petitioner's party to hold the



WP(MD)No.116 of 2024

public meeting in commemoration of 67th death Anniversary of Dr.B.R.Ambedkar at Valluvar Thidal, Karambakudi at 4.00 p.m. on 10.01.2024, by implementing the order dated 30.11.2023 in W.P.(MD).No.28198/2023 of this Court, based on petitioner's party representation dated 05.12.2023, made to the 1st respondent.

For Petitioner : Mr.M.Ezhilarasu

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

This Writ Petition is filed to quash the impugned proceedings dated 04.12.2023 passed in Na.Ka.No.430/SDO/ALG/CAMP/2023 by the second respondent and to direct the first respondent to grant permission to the petitioner's party to hold public meeting in commemoration of 67th death Anniversary of Dr.B.R.Ambedkar at Valluvar Thidal, Karambakudi at 4.00 p.m. on 10.01.2024, by implementing the order dated 30.11.2023 in W.P.(MD).No.28198/2023 of this Court, based on petitioner's party representation dated 05.12.2023.

2.The learned counsel for the petitioner submits that in the earlier order passed by this Court, the respondents were directed to consider the representation



WP(MD)No.116 of 2024

WEB COPY

of the petitioner and pass appropriate orders fixing the time and venue of the function. Now, the petitioner had come with this Writ Petition that the second respondent fixed the vacant site as venue instead of Valluvar Thidal without assigning any reason for not granting Valluvar Thidal and also fixed the time between 10.00 am and 01.00 pm., which is found to be inconvenient to organize a meeting.

3.The learned Additional Public Prosecutor vehemently objects to the maintainability of this petition itself stating that already a writ petition of a similar nature was considered by this Court in favour of the petitioner. Also, in the very same Writ Petition, the learned single Judge of this Court had directed the Deputy Superintendent of Police to consider the representation of the petitioner fixing the venue and time. Therefore, the order passed by the second respondent is as per the order passed by this Court.

4.For the same cause of action, filing of second Writ Petition is not at all maintainable. If the petitioner is aggrieved by the order passed by the second respondent, he has to seek remedy by filing Writ Appeal or Review Petition



WP(MD)No.116 of 2024

against the order passed by the learned single Judge of this Court and he cannot file another Writ Petition for the same cause of action.

5.The submission of the learned Additional Public Prosecutor is found justified, considering the nature of the relief sought for by the petitioner and the meeting referred to also. Both the prayers are same. Therefore, the petitioner is directed to approach the appropriate forum by filing Writ Appeal or Review Petition whatever is available in law.

With the above directions, this Writ Petition is dismissed. No costs.

05.01.2024

Index : Yes / No
Internet : Yes / No
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TO:

1.The Superintendent of Police,
Pudukkottai District,
Pudukkottai.



WP(MD)No.116 of 2024

WEB COPY

- 2.The Deputy Superintendent of Police,
Alangudi Sub Division,
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WEB COPY



WP(MD)No.116 of 2024

SATHI KUMAR SUKUMARA KURUP, J.

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Order made in
W.P.(MD)No.116 of 2024

Dated:
05.01.2024