



W.P.(MD)No.19221 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.08.2024

CORAM :

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.19221 of 2024

K.Nowshad Ali Khan

...Petitioner

Vs.

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Commissioner,
Karaikudi Greater Municipality,
Karaikudi, Sivagangai District.
- 3.The Superintendent of Police,
Sivagangai District,
Sivagangai.
- 4.The Tahsildar,
Karaikudi Taluk,
Sivagangai District.
- 5.The Inspector of Police,
Karaikudi North Police Station,
Karaikudi,
Sivagangai District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the fifth respondent in Na.Ka.No.16/Mike/KI-PS/2024 dated 03.08.2024, quash the same as illegal and consequently directing the fifth respondent to grant permission to the petitioner to conduct the public meeting on 12.08.2024 from 05.00 PM to 10.00 PM at the Ainthuvilakku area in Karaikudi for the protection of 'Sambai Ootru' and also to provide necessary arrangements, including permission for loudspeakers, for the peaceful conduct of the said public meeting.

For Petitioner : Mr.P.Saravanakumar

For R1 & R3 to
R5 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

For R2 : Mr.D.Venkatesh

ORDER

The Writ Petition has been filed seeking a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the fifth respondent dated 03.08.2024 and quash the same and consequently direct the fifth respondent to grant permission to the writ petitioner to conduct the public meeting on 12.08.2024 from 05.00 p.m.



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to 10.00 p.m. at the Ainthuvilakku area in Karaikudi for the protection of 'Sambai Ootru' and also to provide necessary arrangements, including permission for loudspeakers, for the peaceful conduct of the said public meeting.

2. Mr.E.Antony Sahaya Prabahar, learned Additional Public Prosecutor takes notice for the respondents 1 and 3 to 5 and Mr.D.Venkatesh, learned counsel takes notice for the second respondent. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. It is not in dispute that the writ petitioner's representation has been rejected in the impugned order by the fifth respondent.

4. The learned counsel appearing for the writ petitioner would submit that they are expecting 100 people to the meeting to be held on 12.08.2024.

5. At this juncture, the learned Additional Public Prosecutor appearing for the respondents 1 and 3 to 5 would submit that if the writ



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petitioner is restricting the strength to 100, they are ready to give permission for the place proposed by the writ petitioner itself.

6. I have considered the submission of the learned counsel appearing for the writ petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 and 3 to 5.

7. It is brought to the notice of this Court that the Director General of Police, Tamil Nadu, Chennai had issued a circular memorandum in Rc.007301/Genl.I (1)/2019 dated 09.04.2019 along with instructions to the Inspectors of Police throughout Tamil Nadu for consideration of applications seeking permission for conducting programme. Therefore, in view of the detailed circular and guidelines issued by the Director General of Police and the submissions made on either side, the writ petitioner is directed to file an undertaking affidavit before the fifth respondent that they will restrict total participants to 100 and on such undertaking affidavit, the fifth respondent is directed to consider the same and pass orders by imposing necessary conditions based on the above said circular.



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8. With the above directions, this Writ Petition stands disposed of.

No costs.

09.08.2024

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

csm

Note : Issue order copy today (09.08.2024)

To

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Superintendent of Police,
Sivagangai District,
Sivagangai.
- 3.The Tahsildar,
Karaikudi Taluk,
Sivagangai District.
- 4.The Inspector of Police,
Karaikudi North Police Station,
Karaikudi,
Sivagangai District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J

csm

Order made in
W.P.(MD)No.19221 of 2024

Dated : 09.08.2024