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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.01.2025

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THE HONOURABLE **MR.JUSTICE P.DHANABAL**

W.P(MD)No.2603 of 2025

Mookaiyan

... Petitioner

Vs

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

2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Pudukkottai Town,
Pudukkottai District.

3. The Inspector of Police,
Kantharvakottai Police Station,
Pudukkottai District

... Respondents

PRAYER: Writ Petition has been filed under Article 226 of the Indian Constitution for issuance of writ of certiorarified mandamus, to call for the records connected with the impugned order in Na.Ka.No.34/B3 PS/PDK/2024 dated 22.12.2024 on the file of the respondents No.3 and quash the same as illegal, consequently to direct the respondents for grant permission for conduct agitation on 04.02.2025 or on 06.01.2025 or any other date at kandarvakottai bus stand Pudukottai District, by considering petitioner's representation dated 10.01.2025 within the time stipulated by



this Court.

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For Petitioner : Mr.Dr.R.Alagumani

For Respondents : Mr.R.N.Anbunithi

Government Advocate (Crl.Side)

ORDER

This writ petition has been filed against the impugned order passed in Na.Ka.No.34/B3 PS/PDK/2024 dated 22.12.2024 on the file of the 3rd respondent and quash the same, and to direct the respondents to grant permission for conduct agitation on 04.02.2025 or on 06.02.2025 or any other date at Kandarakottai Bus Stand, Pudukottai District by considering the representation dated 10.01.2025.

2. The learned counsel for the petitioner would submit that the petitioner wants to conduct agitation on 04.02.2025 or on 06.02.2025 at Kandarakottai Bus Stand. For that, the petitioner made representation dated 10.01.2025 and the same was declined by the 3rd respondent without any jurisdiction. He would further submit that the respondents already permitted other persons to agitate before the same place, but refused to grant permission to the petitioner due to previous enmity between the petitioner and the 3rd respondent. Hence, the impugned order passed by the 3rd respondent is liable to be quashed.



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3. The learned Additional Public Prosecutor appearing for the respondents would submit that the proposed place for conducting agitation is near hospitals and religious place, and there is no space to conduct agitation, further it would create problem for the public in the locality. However, on instructions, the learned Additional Public Prosecutor would further submit that if the petitioner undertakes to conduct agitation without creating any law and order problem, they will consider the request of the petitioner to conduct agitation on 08.02.2025. The learned counsel for the petitioner also has no objection for the same and undertakes not to create any law and order problem and assured to conduct agitation without creating nuisance to the public.

4. Recording the above submissions of the learned Additional Public Prosecutor and the undertaking given by the petitioner, this writ petition is allowed with the above said observations. No costs.

03.02.2025

Internet :Yes
Index :Yes/No
NCC :Yes/No
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P.DHANABAL, J.

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To

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

2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Pudukkottai Town,
Pudukkottai District.

3. The Inspector of Police,
Kantharvakottai Police Station,
Pudukkottai District

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

W.P(MD)No.2603 of 2025

03.01.2025