

W.P.(MD)No.5773 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2025

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THE HON'BLE MR.JUSTICE P.DHANABAL

W.P.(MD)No.5773 of 2025

and

W.M.P(MD) Nos.4218 and 4219 of 2025

P.Ramalingam

... Petitioner

Vs.

1. The Commissioner of Police
O/o.Commissioner of Police
Madurai City, Madurai
2. The Assistant Commissioner of Police
Thidir Nagar Circle
Madurai City, Madurai
3. The Inspector of Police
Subramaniyapuram Police Station
Madurai

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, seeking a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in C. No.30/AC/Camp/MC/2025 dated 26.02.2025 on the file of the respondent No.2 and quash the same as



W.P.(MD)No.5773 of 2025

WEB COPY

illegal and consequently direct the respondent No.2 to grant permission for the petitioner to conduct harmony meeting on 14.03.2025 or any other date within the time frame stipulated by this Court.

For Petitioner : Mr.T.Lajapathy Roy, Senior Counsel
for M/s.Roy and Roy Associates

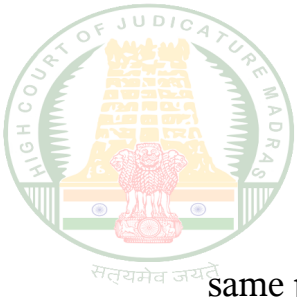
For Respondents : Mr. A.Baskaran
Additional Advocate General

Assisted by : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

The prayer sought for in the present writ petition is to call for the records pertaining to the impugned order passed by the second respondent in C. No.30/AC/Camp/MC/2025 dated 26.02.2025 and quash the same as illegal and consequently direct the second respondent to grant permission to the petitioner to conduct harmony meeting on 14.03.2025 or any other date within the time frame stipulated by this Court.

2. The learned Senior Counsel appearing for the petitioner would submit that the petitioner belongs to Makkal Kailai Illakiya Kazhagam, political organization and they conducted several meetings in the very



W.P.(MD)No.5773 of 2025

WEB COPY

same place for public cause and recently some politicians spread rumours and created religious harmony among two sects of people and the petitioner's organization has only to cause to bring peace and unity among the people and hence they proposed to organize a general meeting at Palaganatham, Madurai region on 03.03.2025. Therefore he sent a representation on 22.02.2025 to the respondents and thereafter they passed order on 26.02.2025 by refusing to grant of permission to conduct harmony meeting and the same was served to the petitioner on 27.02.2025. The impugned order is totally a non- application of mind and already this Court issued directions to the respondents to grant permission to the members of Rashtriya Swayam Sevak Sangh to take out procession in the routes prescribed by the respondents and to hold public meeting in the places earmarked by the respondents with some reasonable restrictions as they deems fit and proper. Therefore the order passed by the second respondent is liable to be quashed and permission has to be granted to the petitioner for conducting harmony meeting on 14.03.2025.



W.P.(MD)No.5773 of 2025

WEB COPY

3. The learned Senior Counsel also relied on the following judgements passed by this Court:

a)K.Phanindra Reddy and others .vs. G.Subramanian reported in 2023 SCC Online SC 402

b)WP(MD)Nos.3363,3364 and 3374 of 2025 in the case of M.Murugan .vs. The District Collector and others.

4. The learned Additional Advocate General appearing for the respondents would submit that the petitioner has sent a representation to conduct meeting on 03.03.2025 from 10.00 am., to 02.00 pm., at Palanganatham, Nataraj theatre and they passed order that as per the requisition they decided to conduct meeting in the Tiruparankundran area where two religious people claiming right over their temple and thereby already tension prevailing over locality and if the meeting is conducted it will create law and order issue and clash between two sects of people therefore the second respondent rightly rejected the permission.



W.P.(MD)No.5773 of 2025

WEB COPY

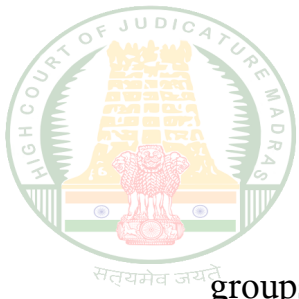
5. The learned Additional Advocate General relied on the following judgments of this Court.

a) S.Yuvaraj .vs. The Commissioner of Police, E.V.K.Sampath Salai, Vepery. Chennai and others in WP No.4732 of 2025

b) Syed Raja .vs. The Commissioner of Police, Office of the Commissioner of Police, Madurai City, Madurai in WP(MD) No.4634 of 2025.

6. Heard both sides and perused the materials available on record.

7. The petitioner gave a request to the respondents for conducting meeting on 03.03.2025 at about 10.00 a.m., and the same was rejected by citing reasons that already there is a tension prevailing over the locality between two sects of people and if permission is granted at this stage it will cause hindrance to public and there are chances for law and order issue. According to the respondents now temple festival at Thiruparankundram for Panguni Uthiram is also started and the place selected by the petitioner is a prime area of the town and it will cause hindrance to the public and further already there is dispute between two



W.P.(MD)No.5773 of 2025

WEB COPY

groups and the same is now under control. While so, if permission is granted to conduct such meeting in and around Tiruparankundram it will not only create clash between two groups but also law and order issue, therefore the second respondent has correctly rejected the request. The respondents are the competent persons to control the law and order issue and thereby they are the fit person to decide either to grant to permission or decline permission depending upon the situation in the locality

08. This Court also perused the records. In the affidavit of the petitioner in para no.4 the petitioner has stated as follows:

“ In our organization we conducted several meeting in the very same place for public cause, on recently some hated politicians spread rumors and created a religious disharmony among two sects of people and our organization has only cause to bring peace and unity among the people and hence we proposed to organize this General Meeting at Palaganatham Maduari region on 03.02.2025.

09. The averment shows the intention of the petitioner that it will definitely create clash between two sects of people , therefore in order to



W.P.(MD)No.5773 of 2025

WEB COPY

ensure peace to the public and to avoid any untoward incidents declining the permission by the police is in order. Therefore this Court considering the tension prevailing over the locality declined to interfere with the order passed by the second respondent, therefore the petition deserves to be dismissed.

10. So far as the judgments relied on the side of the petitioner are concerned they will not be applicable to the present facts of the case because in this case now there is a tension prevailing over the locality due to some dispute between two sects of people and it is the duty to the police to ensure peace and security to the public. It is true that freedom of speech and conducting meeting is fundamental right but it is also subject to reasonable restrictions.

11. So far the judgements relied on by the learned Additional Advocate General are concerned already this Court declined to grant permission based on the situation prevailing in the locality and thereby it is not proper to grant permission at this stage.



W.P.(MD)No.5773 of 2025

WEB COPY

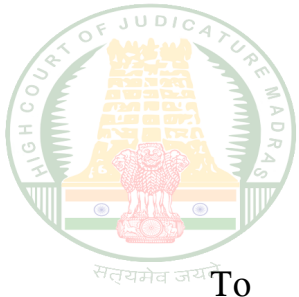
12. Further the petitioner has not sent a representation for the conduct of meeting on 14.03.2025 they only challenged the order passed by the second respondent for the particular date on 03.03.2025 and the same is lapsed, therefore this Court need not set aside the order passed by the second respondent.

13. In the result, the Writ Petition stands dismissed. No costs. Consequently connected miscellaneous petitions stand closed. However the petitioner is at liberty to approach the appropriate authorities for conduct of meeting outside the Madurai City. If any such request is made by the petitioner, the concerned police officials may consider the same in accordance with law.

05.03.2025

NCC : Yes / No
Index : Yes / No
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Note: Issue order copy on 05.03.2025



W.P.(MD)No.5773 of 2025

To
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Madurai City, Madurai
2. The Assistant Commissioner of Police
Thidir Nagar Circle
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3. The Inspector of Police
Subramaniyapuram Police Station
Madurai
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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W.P.(MD)No.5773 of 2025

P.DHANABAL, J.

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W.P.(MD)No.5773 of 2025

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