



W.P.(MD)No.8483 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2025

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THE HON'BLE MR.JUSTICE P.DHANABAL

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N.Shanmugam

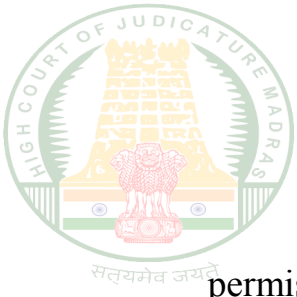
... Petitioner

Vs.

1. The Superintendent of Police
Karur District, Collectorate Complex
Karur Collectorate, Karur- 639007
2. The Deputy Superintendent of Police
Karur Town
Collectorate Complex, Karur Collectorate
Karur
3. The Inspector of Police
Karur Town Police Station
Karur District

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, seeking a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the 3rd respondent vide his office Na.Ka.No.16/Kaa.Aaa/Na.Kaa.Ni/Karur/2025, dated 04.03.2025, quash the same and consequently direct the respondents to grant



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permission to the petitioner along with JAACT to conduct a protest demonstration (Aarpatam) on 29.03.2025 at 5 PM near Karur Head Post Office

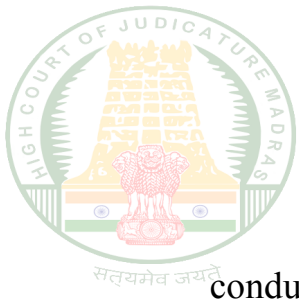
For Petitioner : Mr.Henri Patrick Tiphange

For Respondents : Mr. M.Sakthi Kumar
Government Advocate(Crl.Side)

ORDER

This Writ Petition has been filed by the petitioner to quash the impugned order passed by the third respondent in Na.Ka.No. 16/Kaa.Aaa/Na.Kaa.Ni/Karur/2025, dated 04.03.2025 and consequently direct the respondents to grant permission to the petitioner along with JAACT to conduct a protest demonstration (Aarpatam) on 29.03.2025 at 5 PM near Karur Head Post Office.

2. The learned counsel appearing for the petitioner would submit that the petitioner has been engaged in social reform activities and he is the Secretary of Samaniya Makkal Nalakatchi and he is also the District Secretary of the Organization and he has been closely associated with the Joint Action against custodial torture. The petitioner decided to

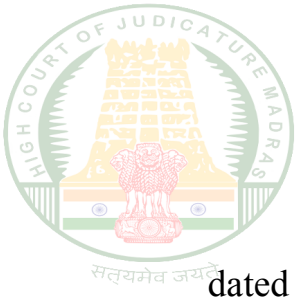


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conduct demonstration on 29.03.2025 near Head Post Office, Karur for that he approached the third respondent for grant of permission and the same was dismissed through an order dated 04.03.2025. In that order the third respondent has mentioned that in the place selected for demonstration there is a school and government office and it would cause great traffic congestion and there will be a chance for law and order issue. The reasons are not the valid grounds to decline the grant of permission to conduct demonstration. More over the Municipal Commissioner has already ear marked the place near to the Head Post Officer Karur Town for conducting hunger strike and demonstration. However the third respondent declined to grant permission. He would further submit earlier they decided to conduct demonstration and due to lapse of time they will conduct protest in future dates. Therefore they may be permitted to give a fresh representation and the same to be considered favourably by the third respondent police. Therefore the order passed by the third respondent is liable to be quashed.

3. The learned Government Advocate(Crl.Side) appearing for the respondents would submit that the petitioner has sent a representation



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dated 28.03.2025 for conduct demonstration on 05.03.2025 and the same was declined through order dated 04.03.2025 and the place chosen for demonstration is surrounded by schools, municipal office and other institutions and if permission is granted it will affect the normalcy of public and the motive to conduct demonstration is in respect of death of the accused who had so many previous cases, therefore they declined to grant permission, therefore the petition is liable to be dismissed.

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

5. The petitioner has sent a representation to the third respondent for conduct of protest near Head Post Office, Karur and the same was rejected through an order dated 04.03.2025 by citing some reasons that the parties conduct demonstration in respect of deceased who had so many previous cases and the place chosen for conducting demonstration is near to the public office and it will cause hindrance to the public and it will create traffic congestion.



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6. At this juncture, the learned counsel appearing for the petitioner brought to the knowledge of the Court the order passed by the Municipal Commissioner dated 27.10.2022 in proceedings in Na.Ka.No. 6756/2022/F1, dated 27.10.2022 the Head Post Office, Karur Town, Jawahar Bazaar Azaad Road has been earmarked as one of the place for conducting demonstration and hunger strike. Now the petitioner is also conducting demonstration in the same place. The reason stated by the third respondent in rejecting permission is not a valid ground and the petitioner is entitled to conduct demonstration as per the fundamental right guaranteed under the Constitution of India. Therefore the third respondent ought to have granted permission by imposing conditions, however they declined to grant permission.

7. Though the prayer is to conduct demonstration on 29.03.2025 and the said period was also over, the learned counsel appearing for the petitioner requested this Court to grant permission to conduct demonstration in future date, therefore the order passed by the third respondent is not in accordance with law and the same is liable to be quashed.



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8. In view of the same, the impugned order passed by the third respondent is quashed and the petitioner is at liberty to approach the third respondent by way of fresh representation by fixing future date and on such application being filed, the third respondent is directed to grant permission by imposing appropriate condition.

9. With the above direction, the Writ Petition stands disposed of.

No costs.

16.04.2025

NCC : Yes / No
Index : Yes / No
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To

1. The Superintendent of Police
Karur District, Collectorate Complex
Karur Collectorate, Karur- 639007
2. The Deputy Superintendent of Police
Karur Town
Collectorate Complex, Karur Collectorate
Karur
3. The Inspector of Police
Karur Town Police Station
Karur District

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



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P.DHANABAL, J.

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