



W.P(MD) NO.8599 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.DHANABAL

W.P(MD) No.8599 of 2025

Durai Guna

... Petitioner

vs.

1.The Superintendent of Police
O/o. the Superintendent of Police
Pudukkottai.

2.The Inspector of Police
Pudukkottai Town Police Station,
Pudukkottai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India for a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the 2nd Respondent vide his office proceedings in Na.Ka.No. 10/Pudukai/2025, dated 13.03.2025, quash the same and consequently, to direct the 2nd respondent to grant permission to the petitioner along with JAACT to conduct a Condemn Demonstration (Aarpattam) on 05.04.2025 or 12.04.2025 near the Anna statue in Pudukkottai town at 5.00 p.m.



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For petitioner : Mr.Henry Patrick Tiphangr

For R1 & R2 : Mr.R.M.Anbunithi
Additional Public Prosecutor (Crl side)

ORDER

This petition is filed by the petitioner to quash the order passed by the second respondent in Na.Ka.No. 10/Pudukai/2025, dated 13.03.2025 and to direct the second respondent to grant permission to the petitioner along with JAACT to conduct a Condemn Demonstration (Aarpattam) on 05.04.2025 or 12.04.2025 near the Anna statue in Pudukottai town at 5.00 p.m.

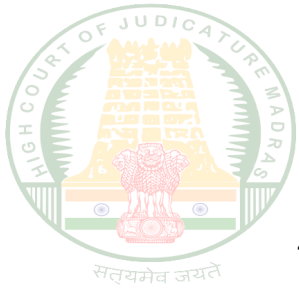
2. The learned counsel for the petitioner would submit that the petitioner is a social activist and he is the District Secretary of the Joint Action Against Custodial Torture (JAACT) in Pudukkottai District. There are so many illegal quarries working brazenly violating several statutory obligations and directions of this Court by persons, who are very powerful and commit atrocious acts against anyone, who opposes them.

3. The learned counsel would further submit that on 17.01.2025,



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one Mr.Jagabar Ali, an Environmental Human Rights Defender from Vengalur, Thirumayam Taluk, Pudukkottai District was brutally murdered. He had consistently fought against illegal quarrying in Thirumayam Taluk and exposed illegal mining activities involving a loss of approximately, Rs.8,40,00,000/- to the State exchequer. The above said incident was orchestrated to appear as a road accident, but it was premeditated murder. After that, the case was registered in Crime No.9 of 2025 for the offences under Section 194(1) of BNSS on 18.11.2025. Thereafter, the case was transferred to CBCID for further investigation. While so, the petitioner, alongwith others, decided to conduct protest on 15.03.2025, but the same has not been considered. However, after a long time of 17 days, the second respondent passed an order by declining the permission by citing the reasons that without obtaining permission from the municipality, the petitioner seeks permission and also the place, where so many commercial buildings and hospital are situated, is busy area and thereby, it will cause traffic congestion to the public. In fact, the other political parties used to conduct protest in the same place. But, citing the abovesaid reasons, the second respondent declined to grant permission. Therefore, the order passed by the second respondent is liable to be dismissed.



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4. The learned Additional Public Prosecutor (Crl side) for the respondents would submit that without admitting the allegations levelled in the petition, they have no objection to grant permission to conduct protest at Thilagar Thidal and the present place fixed by the petitioner is busy area and nobody was permitted to conduct Dharna in that place. Therefore, if the petitioner agrees to conduct protest in Thilagar Thidal, they have no objection.

5. The learned counsel also agrees to conduct protest at Thilagar Thidal. Though the prayer of the petitioner is for conducting protest on 05.04.2025 or 12.04.2025, now due to some unavoidable circumstances and sudden death of petitioner's brother, he is unable to conduct protest on those dates. Therefore, he seeks permission to conduct protest on 19.04.2025.

6. Therefore, recording the abovesaid submission of the learned Additional Public Prosecutor (Crl side) and the learned counsel for the petitioner, this Court is inclined to set aside the order passed by the second respondent. Accordingly, the order passed by the second respondent is set aside and the second respondent is directed to grant



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permission to conduct protest on 19.04.2025 at Thilagar Thidal,
Pudukkottai, based on the petitioner's representation in accordance with
law.

7. With the abovesaid observations and directions, this petition is
disposed of.

28.03.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
apd

To

1.The Superintendent of Police
O/o. the Superintendent of Police
Pudukkottai.

2.The Inspector of Police
Pudukkottai Town Police Station,
Pudukkottai.

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



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P.DHANABAL,J

apd

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