



IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: **10.03.2023**

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.No.7716 of 2023

Kowsalya

... Petitioner

Vs

The State rep by
The Deputy Superintendent of Police,
Udulamaipet Sub Division,
Tiruppur District.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleased to issue a Writ of Certiorarified Mandamus, calling for records pertaining to the order passed by the respondent bearing number Na.Ka.En.53/SDOU/Mike Permission/2023 dated 08.03.2023 and to quash the same as illegal and consequently direct the respondent to grant permission to hold public meeting on 12.03.2023 at 5 P.M. at the venue nearby Kumaralingam Bus Stop pursuant to my representation dated 15.02.2023.

For Petitioner : Mr.N.G.R.Prasad for
Mr.R.Thirumoorthy

For Respondent : Mr.S.Santhosh
Government Advocate (Crl.Side)



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ORDER

The Writ Petition has been filed to call for records pertaining to the order passed by the respondent bearing number Na.Ka.En.53/SDOU/Mike Permission/2023 dated 08.03.2023 and to quash the same as illegal and consequently direct the respondent to grant permission to hold public meeting on 12.03.2023 at 5 P.M. at the venue nearby Kumaralingam Bus Stop pursuant to the petitioner's representation dated 15.02.2023.

2. Learned counsel for the petitioner submitted that petitioner is the founder of Sankar Social Justice Trust. She belongs to Most Backward Community and she married Sankar, who belonged to Scheduled Caste. On account of this inter-caste marriage, caste fanatics assaulted Sankar with deadly weapons on 13.03.2016 at the instigation of her parents and he was killed. On the second year death anniversary of Sankar, petitioner started this trust for creating awareness of inter-caste marriage and for promoting the same in the society in order to achieve casteless society. She submitted a representation dated 15.02.2023 seeking permission to conduct 7th memorial meeting in honour of deceased Sankar and promote inter caste marriage. However that representation was rejected by the respondent in proceedings



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bearing Na.Ka.No.53/SDOU/Mike Permission/2023 dated 08.03.2023.

WEB Challenging this proceedings, this petition is filed.

3. Learned Government Advocate (Crl.side) opposed this petition on the ground that, if the proposed meeting is permitted, there is a possibility of law and order issue coming up. There is a ban against meeting and other assembly passed under Section of 30(2) of TN City Police Act, 1888 from 01.03.2023 to 15.03.2023. He further submitted that the brother of the deceased and more than 550 villagers are opposing this meeting. Thus, he prays for dismissal of this petition.

4. Considered the rival submissions and perused the records. The offence of honour killing takes place every now and then. It is not as though there is no honour killing takes place in Tamil Nadu and it is totally eradicated. It is not in dispute that petitioner is a victim to honour killing, that her husband was murdered for the reason that he belongs to Scheduled Caste and petitioner belongs to Most Backward Caste. Now, the scope of starting Sankar Social Justice Trust and for organizing present meeting is to disseminate information against honour killing and also to promote inter-caste marriage. It is a laudable object and we cannot prevent/prohibit the meeting to be organized by Sankar Social Justice Trust on 12.03.2023 at 5



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P.M. at the venue nearby Kumaralingam Bus Stop, for the above said

WEB COPY reasons.

5. In this view of the matter, order dated 08.03.2023 passed by the respondent bearing Na.Ka.No.53/SDOU/MIKE Permission/2023 is set aside and the respondent is directed to give permission for conducting the meeting on 12.03.2023 at 5 P.M. at the venue nearby Kumaralingam Bus Stop by imposing necessary and appropriate conditions, that are usually imposed.

6. Accordingly, this Writ Petition is disposed of. No costs.

10.03.2023

Index :Yes/No

Internet:Yes/No

mpl

Note: Issue order copy by today (10.03.2023)

To

1.The Deputy Superintendent of Police,
Udulamaipet Sub Division,
Tiruppur District.

2.The Public Prosecutor,
High Court of Madras.



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VERDICTUM.IN



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G.CHANDRASEKHARAN, J.

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