

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2015

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.13657 of 2015

P.T.Loganathan
S/o.Thangaraj

...Petitioner

-Vs-

1.The District Collector,
Erode District,
Erode.

2.The Superintendent of Police,
Erode District,
Erode.

3.The Deputy Superintendent of Police,
Erode Town,
Erode.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings of the third respondent dated 21.04.2015 in his proceedings Na.Ka.No.170/Camp/DSPET/15, to quash the same and consequently, direct the respondents to grant permission to the petitioner to conduct the fasting at the venue "Opposite to Kamarajar Statue, G.H.Roundana, Erode Town" by fixing a date and time.

For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.S.Pattabiraman

Government Advocate

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O R D E R

By consent, the Writ Petition itself is taken up for final disposal.

2. The petitioner approached the third respondent seeking permission to go on fast in the place chosen by him with regard to construction of a fly over near Erode General Hospital, Roundana. The application submitted by the petitioner was rejected by the second

respondent under orders dated 21.04.2015 stating that granting permission to conduct fast may lead to law and order problem. Challenging the legality of the said order, the petitioner has filed this writ petition.

3. Learned counsel for the petitioner submits that the teachers, who are working in various schools at Erode, to press their demand, were permitted to conduct a one day fast near Kamarajar Statue, Erode and hence, the petitioner may also be permitted to submit a fresh application seeking permission to undergo fast in that place and the third respondent may be directed to pass appropriate orders.

4. Heard the submissions made by Mr.C.Prabakaran, learned counsel for the petitioner, Mr.S.Pattabiraman, learned Government Advocate, who accepts notice for respondents.

In the result, this Writ Petition is disposed of and the petitioner is at liberty to submit a fresh application seeking permission to undergo fast near Kamarajar Statue, Erode, within a period of one week from the date of receipt of a copy of this order and the third respondent, on receipt of the same, is directed to consider and pass orders in accordance with law within a period of one week thereafter by taking into consideration the fact that on earlier occasion, the fast for one day by Joint Action Committee of Tamil Nadu Teachers' Organisation (JACTTO) was permitted. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gm

To

1.The District Collector,
Erode District,
Erode.

2.The Superintendent of Police,
Erode District,
Erode.

3.The Deputy Superintendent of Police,
Erode Town, Erode.

1 cc to Mr.C.Prabhakaran ,Advocate, SR.No.24607

1 cc to Government Pleader,Sr.No24814

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JSV (CO) PMK.2.5.2015