

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2016

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THE HON'BLE Mr. JUSTICE M.M.SUNDRESH

W.P.No.2639 of 2016
and W.M.P.No.2200 of 2016

Tuberculosis Employees Association Tamil Nadu
Ren. No.118/2010
represented by its General Secretary,
Mr.S.Anandhan
No.4/442, Kamaraj Nagar,
Periyampatti,
Palacode Taluk,
Dharmapuri District - 635 205. ... Petitioner

Vs.

1. The Government of Tamil Nadu,
represented by its Secretary,
Department of Health,
St.Fort George,
Chennai,
2. The Managing Director,
Welfare Association,
(Revised National Tuberculosis Control Programme),
DMS Office Campus,
No.359 - 361, Anna Salai,
Teynampet, Chennai - 600 006,
3. State Tuberculosis Officer,
Office of State Tuberculosis,
DMS Office Campus,
Teynampet, Chennai - 600 006. ... Respondents

Prayer: Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondents not to interfere with the peaceful fasting of the petitioner's Association for the demand of fulfill their 15 demands placed before the 1st respondent dated 11.01.2016 to be held on 27.01.2016 from 10 a.m to 5 p.m near Chepauk Guest House, Chennai.

For Petitioner .. Mr.Kaviveerappan
For Respondents .. Mr.P.Sanjay Gandhi,
Addl.Govt.Pleader

ORDER

This writ petition has been filed by the petitioner seeking writ of mandamus directing the respondents not to interfere with the peaceful fasting of the petitioner's Association scheduled to be held on 27.01.2016 from 10 a.m to 5 p.m near Chepauk Guest House, Chennai, for the demand of fulfill their 15 demands placed before the 1st respondent.

2. Learned counsel appearing for the petitioner submitted that there is a threat at the hands of respondents 1 to 3, though permission has been given by the police officials to undertake the fasting. Therefore, this Court directed the learned Additional Government Pleader Mr.Sanjay Gandhi to get instructions. Learned Government Pleader, on instructions, submitted that there is no threat in the strict sense of the term from respondents 1 to 3, however, the same cannot be construed to hold that appropriate departmental action shall not be taken in the event of any violation.

3. Considering the submission made, the writ petition stands disposed of by permitting the petitioner association to undertake the fasting on 27.1.2016 from 10.00 a.m to 5.00 p.m as permitted by the police. However, this order will not stand in the way of respondents in taking appropriate action departmentally as per law, if so advised. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

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To

1. The Secretary,
Department of Health,
Government of Tamil Nadu,
St.Fort George,
Chennai,

2. The Managing Director,
Welfare Association,
(Revised National Tuberculosis Control Programme),
DMS Office Campus,
No.359 - 361, Anna Salai,
Teynampet, Chennai - 600 006,
3. State Tuberculosis Officer,
Office of State Tuberculosis,
DMS Office Campus,
Teynampet, Chennai - 600 006.

+ 1 cc to Government Pleader sr 4510[5/5/16]
1 cc to Mr.M. Kaviveerappan, Advocate, Sr. 4426

W.P.No.2639 of 2016

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