

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.6712 of 2017
& WMP.No.7252 of 2017

A.Shadiq Basha

..Petitioner

Vs.

1. The Commissioner of Police,
Greater Chennai,
Vepery,
Chennai-600 007.

2. The Assistant Commissioner of Police,
Intelligence Wing,
Vepery,
Chennai-600 007.

... Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus to call for the records with regard to the impugned order dated 12.03.2017 in No.335/Ta.Pe.2/2017 passed by the first respondent and to quash the same as ultra vires and consequently direct the first respondent to grant permission to the petitioner for holding a hunger strike at Valluvar Kottam, Chennai between 9.00 a.m to 6.00 p.m on any day with regard to protest against Hydrocarban project at Neduvasal Pudhukottai District and for successful execution of Atthi Kadavu Avinasi Project by the Government of Tamilnadu.

For Petitioner : Mr.M.Velmurugan
For Respondents : Mr.K.Balamurugan, GA.

ORDER

Seeking a direction to the respondent Police to grant permission to protest against the proposed Hydro Carbon Project at Neduvasal and also against the execution of Atthi Kadavu Avinasi Project, the present writ petition is filed.

2.The petitioner on the basis of his representation dated 09.03.2017 sought permission to protest against the proposed

Hydro Carbon Project at Neduvasal and also to organise a protest against the proposed Atthi Kadavu Avinasi Project scheme.

3.The learned Government Advocate appearing for the respondents fairly submitted that the petitioner has given preference only to sit for a protest against the proposed Hydro Carbon Project at Neduvasal and the respondent police will give adequate police protection for the same. As far as the protest against the proposed Atthi Kadavu Avinasi Project scheme, the respondents are not inclined to grant permission to the petitioner for various reasons.

4.At this stage, the learned counsel for the petitioner has submitted that the petitioner is not pressing the relief to grant permission for organising a protest as against the proposed Atthi Kadavu Avinasi Project scheme. The said statement is recorded.

5.Accordingly, this Court holds that no further order is required relating to the prayer of the petitioner to protest against the proposed Atthi Kadavu Avinasi Project. As far as the permission seeking to organise the protest for the Hydro Carbon Project at Neduvasal, the petitioner is directed to submit a representation to the respondents within a week from the date of receipt of a copy of this order and on receipt of the same, the second respondent is directed to consider and pass necessary orders on the same day. It is needless to mention that the petitioner upon permission granted by the respondents, shall resort to the protest peacefully without giving room for any law and order problem.

6.With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-
Assistant Registrar (CCC)

True Copy

Sub-Assistant Registrar

To

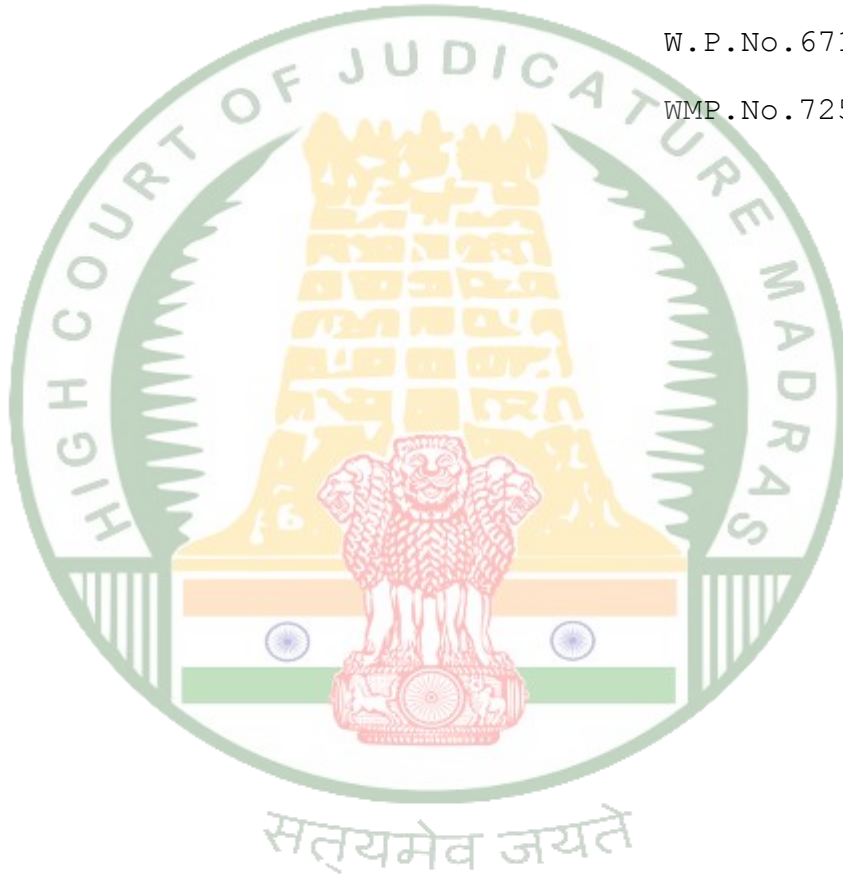
1. The Commissioner of Police,
Greater Chennai,
Vepery,
Chennai-600 007.

2. The Assistant Commissioner of Police,
Intelligence Wing,
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+1 CC to Mr. M. Velmurugan, Advocate sr 19380
+1 CC to Govt. Pleader sr 19620

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