

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:01.08.2017

Coram

THE HONOURABLE Mr. JUSTICE M.VENUGOPAL
AND
THE HONOURABLE Mr. JUSTICE P.D.AUDIKEVALU

W.P.No.1129 of 2013 and
M.P.No.1 of 2013 and M.P.No.4 of 2013

Dr.S.Ramadoss
Founder Leader,
Pattali Makkal Katchi
No.10, Kamachiamman Koil Street,
Tindivanam, Villupuram District.

.. Petitioner

Vs.

1.The State of Tamil Nadu
rep. By its Principal Secretary to Govt.,
Home Department, Fort St. George,
Chennai – 600 009.

2.The District Collector cum
District Magistrate,
Madurai District, Madurai.

3.Lawyers' Centre For Human Rights
(Regn. No.274/2001)
No.281/134, II Floor
Thambu Street, Chennai – 600 001.
Rep. By its Organizer, C.Vijayakumar

4.S.Sasikumar

(RR 3 & 4 impleaded as per order
dated 08.02.2013 in M.P.Nos.2 & 3/2013)

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari calling for the concerned records relating to the proceedings made in MHS/MDU/No.1/2012 dated 07.01.2013 passed by the 2nd Respondent and quash the same.

For Petitioner : Mr.K.Balu

For R1 & R2 : Mr.M.Elumalai
Government Advocate

For R3 : Mr.S.Sathia Chandran

For R4 : M/s.A.Mohan

ORDER

[Order of the Court was made by M.VENUGOPAL, J.]

The Petitioner has filed the instant Writ Petition praying for passing of an order by this Court in calling for the records pertaining to the proceedings in MHS/MDU/NO.1/2012 dated 07.01.2013 passed by the 2nd Respondent/District Collector Cum District Magistrate, Madurai District, Madurai.

2.According to the Learned Counsel for the Petitioner, the 2nd Respondent/District Collector Cum District Magistrate, Madurai District has passed the impugned order dated 07.01.2013 by mentioning that he was satisfied that necessary prohibitory orders were warranted against the Petitioner under Section 144(1) Cr.P.C.

and accordingly, he had prohibited the Petitioner from entering into Madurai District and from attending any meeting in the said District from 07.01.2013 to 21.02.2013. Further, it is represented by the Learned Counsel for the Petitioner that the impugned order dated 07.01.2013 passed by the 2nd Respondent/District Collector Cum District Magistrate has become an infructuous one, because of the reason that the order of restraint imposed upon the Petitioner from entering into Madurai District from attending any meeting in the said District from 07.01.2013 to 21.02.2013 by efflux of time had got expired.

3.As such, this Court refrains itself from expressing any opinion on the correctness or otherwise of the order dated 07.01.2013 passed by the 2nd Respondent/District Collector Cum District Magistrate, Madurai District. Viewed in that perspective, this Court holds that nothing survives for adjudication in the present Writ Petition.

4.In view of the foregoings, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed. Before parting with the case, this Court makes it abundantly

quite clear that the findings arrived at in the impugned order of the 2nd Respondent dated 07.01.2013 shall not have any nexus or bearing whatsoever, in invoking such powers in future by the authority concerned.

(M.V., J.) (P.D.A., J.)
01.08.2017

Speaking Order
Index : Yes / No
Internet : Yes / No
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To

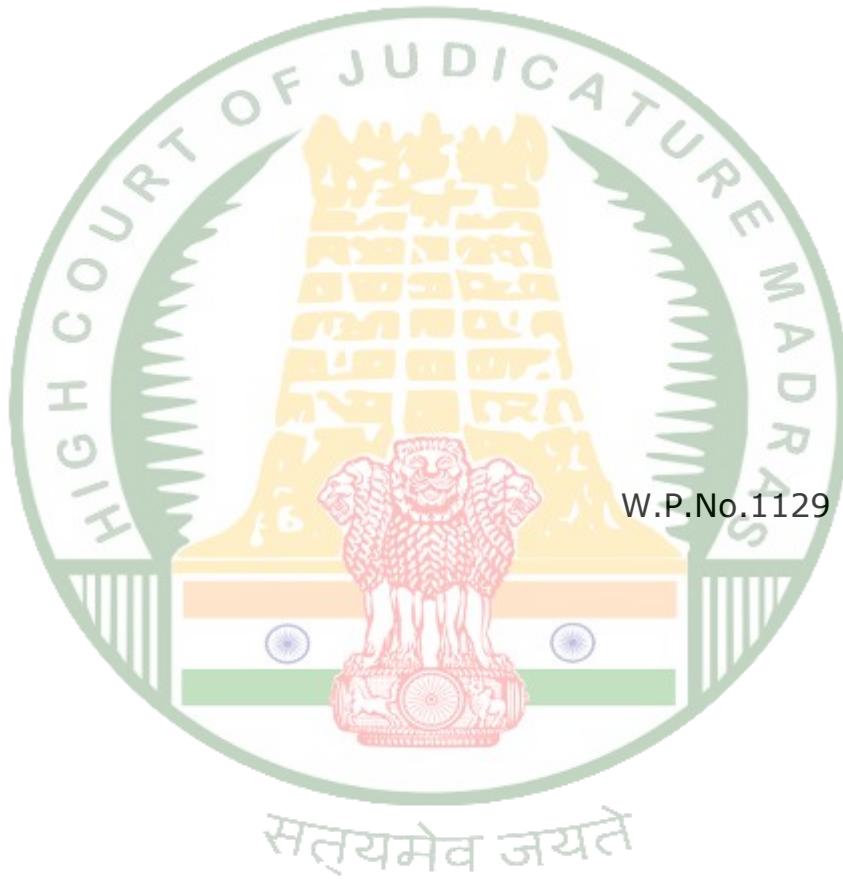
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M.VENUGOPAL, J.
and
P.D.AUDIKESSAVALU, J.

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