



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2017

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THE HON'BLE MR.JUSTICE P.N.PRAKASH

W.P. (MD) No.5737 of 2017

Karunanidhi

... Petitioner

-VS-

1. The Deputy Superintendent of Police,
Thiruvadanai Division,
Ramanathapuram District.

2. The Inspector of Police,
Thiruppalaikudi Police Station,
Ramanathapuram District.

... Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Certiorarified Mandamus to call for the records of the impugned order dated 29.03.2017 passed by the first respondent in NaKa.No.04/Thu.Kaa.Ka./Thiruvadanai/Mugam/2017 and quash the same as illegal and consequently direct the respondents to grant permission to hold continuous hunger strike from 07.04.2017 at Manthai in Uppoor Village, Thiruvadanai Taluk, Ramanathapuram District.

For Petitioner : Mr.C.Arul Vadivel Alias Sekar

For Respondents: Mr.T.S.Mohammed Mohideen

Additional Government Pleader

O R D E R

It is seen that this petitioner had given a representation dated 30.03.2017 seeking permission for conducting relay fast objecting the acquisition of land in connection with the establishment of an Automaic Thermal Power in Uppur Village, Ramanathapuram District. The said representation has been rejected by the first respondent by order dated 29.03.2017 on the ground that the relay fast cannot be permitted in the main ECR road as it would lead to traffic snarl and further law and order problem. Challenging the said order, this Writ Petition has been filed.

2. Heard the learned Counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents.



3. The learned Counsel for the petitioner contended that the petitioner had wanted only two days for conducting the relay fast in a democratic manner and the same ought not to have been refused. The learned Counsel had fairly brought to the notice of this Court to the typed set of papers filed by him by stating that the issue is seized of by a Division Bench of this Court in W.P. (MD)Nos.10378 to 10380 of 2016, in which the Division Bench of this Court, by order dated 13.06.2016 directed the Government to maintain status quo with regard to the acquisition of lands for the said purpose. He further submitted that the reason for denying permission was not on the ground of pendency of writ petition, but on account of law and order problem.

4. Therefore, when the Division Bench of this Court seized of the matter, it may not be advisable for granting permission to the petitioner to conduct the relay fast in support of a cause that is sub judice. In view of the above, this Writ Petition is dismissed with liberty to the petitioner to work out his remedy after the disposal of the writ petitions in W.P.(MD)Nos.10378 to 10380 of 2016.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To:

1. The Deputy Superintendent of Police,
Thiruvadanai Division,
Ramanathapuram District.
2. The Inspector of Police,
Thiruppalaikudi Police Station,
Ramanathapuram District.

+1cc to Mr.C.Arul Vadivel @ Alias Sekar,Advocate Sr.No.50041
+1cc to Spl.Government Pleader Sr.No.50321

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