



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 28.04.2017

CORAM

THE HON'BLE MR.JUSTICE **A.SELVAM**

and

THE HON'BLE MR.JUSTICE **N.AUTHINATHAN**

W.P(MD) No.8692 of 2017

M.Thangaraj

... Petitioner

-vs-

1. The Superintendent of Police,
Karur District, Karur.

2. The Deputy Superintendent of Police,
Karur Town Sub Division,
Karur.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Certiorarified mandamus calling for the records relating to the impugned order passed by the 2nd respondent in Na.Ka.No.131/Kaa.Thu.Ka/Karur/2017 dated 03.04.2017 and quash the same and further directing the respondents to grant permission to go on hunger strike along with the other common public on the convenient date fixed by the respondent police either before the Taluk Office or nearby the Karur Bus Stand protesting the inaction on the part of the Government authorities in not establishing the medical college at Pasupathipalayam Kolandhanur, Karur Town, within the jurisdiction of Karur Municipality(Sanapiratti village, Karur).

For Petitioner : Mr.M.P.Senthil

For Respondents : Mr.M.Govindan,

Special Government Pleader

ORDER

[Order of the Court was made by **A.SELVAM, J.**]

This Writ Petition has been filed under Article 226 of the Constitution of India praying to call for records relating to the impugned order dated 03.04.2017 passed in Na.Ka.No.131/Kaa.Thu.Ka/Karur/2017 by the second respondent and quash the same and also for directing the respondents to give necessary permission to the petitioner and others for observing hunger strike in the places mentioned therein by way of issuing a Writ of Certiorarified Mandamus.

<https://hcservices.ecourts.gov.in/hcservices/>
2. Mr. M. Govindan, learned Special Government Pleader has taken notice for the respondents.



3.The learned counsel appearing for the petitioner has contended to the effect that the petitioner and others are supporting the construction of medical college in the proposed place and some of the people are objecting it and they want to shift the venue. Under the said circumstances, for the purpose of raising the protest of the petitioner and others, for observing hunger strike, necessary permission has been sought for from the second respondent. But the second respondent without considering the object of the petitioner and others, has erroneously rejected the same by way of passing the impugned order dated 03.04.2017 and therefore, the present Petition has been filed.

4.The learned Special Government Pleader appearing for the respondents has emphatically contended to the effect that with regard to construction of medical college, already necessary Government Orders have been passed and in pursuance of the same, funds have also been released and now construction is going on. Under the said circumstances, allowing the petitioner and others to observe hunger strike is totally illegal and therefore, the second respondent has rightly rejected the petition given by the petitioner by way of passing the impugned order dated 03.04.2017 and therefore, the present petition deserves to be dismissed.

5.As narrated earlier, the petitioner and others are supporting construction of medical college in the place fixed subsequently.

6.The main contention put forth on the side of the petitioner is that a rival group who is against the construction of medical college in the new place has raised objection and for that purpose, the petitioner and others want to observe hunger strike.

7.Considering the fact that the petitioner and others want to observe hunger strike, this Court is of the view to pass the following order:

"In fine, this Writ petition is allowed in part without cost. The impugned order dated 03.04.2017 passed by the second respondent is quashed. The petitioner is directed to give a fresh representation to the second respondent and the second respondent is directed to dispose of the same within a period of two days from the date of receipt of such representation."

Consequently, WMP(MD)No.6595 of 2017 is closed.

Sd/-
Assistant Registrar(RTI)

/True Copy/



To

1.The Superintendent of Police,
Karur District,
Karur.

2.The Deputy Superintendent of Police,
Karur Town Sub Division,
Karur.

+1cc to M/S.M.P.SENTHIL, Advocate SR.No.54890
+1cc to Special Government Pleader, SR.No. 55342

W.P(MD) No.8692 of 2017
28.04.2017

JM/SV MMS/SAR 4/03.05.2017/3P/5C