



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.05.2017

CORAM:

WEB COPY

THE HONOURABLE Mr.JUSTICE M.V.MURALIDARAN

W.P. (MD) No.9239 of 2017

De-notified Tribes Welfare Association,
Through its General Secretary,
A.V.Marimuthu

... Petitioner

Vs.

1. The Commissioner of Police,
Madurai, Madurai District.

2. The Inspector of Police,
Karimedu Police Station,
Madurai City, Madurai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to accord permission for indefinite fasting scheduled 24.05.2017, as sought by our association letter, dated 28.04.2017 addressed to the respondents.

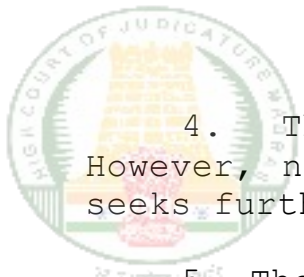
For Petitioner : Mr.B.Chandran
For Respondents : Mr.K.P.Krishnadoss,
Government Advocate.

ORDER

This Writ petition has been filed by the petitioner for issuance of Writ of Mandamus, directing the respondents to accord permission for indefinite fasting scheduled 24.05.2017 as sought by our association letter, dated 28.04.2017 addressed to the respondents.

2. Heard, Mr.B.Chandran, learned counsel appearing for the petitioner and Mr.K.P.Krishnadoss, learned Government Advocate appearing for the respondents.

3. Mr.K.P.Krishnadoss, learned Government Advocate takes notice for the respondents. By consent, the Writ petition itself is taken up for final disposal.



4. The petitioner sought permission to have token fasting. However, no order has been passed by the respondents. Hence, he seeks further direction to have the hunger strike.

5. The learned counsel for the petitioner submitted that the petitioner may be permitted to have a hunger strike on any other date.

6. The learned Government Advocate(Crl.Side) on instructions submitted that it is not possible to consider the request.

7. It is not in dispute that maintaining the law and order problem is the duty of the respondents. However, what the petitioner seeks is to conduct the hunger strike in a peaceful manner. If particular place is objectionable, it is well open to the respondents to permit the petitioner to have the hunger strike in any other place which is not objectionable. The respondents are directed to permit the petitioner to have a hunger strike for three days only at 10.00a.m., to 5.00 p.m., at a place which according to him is not objectionable, subject to strict conditions that can be imposed by them including the timing.

Sd/-
Vacation Officer

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
Madurai, Madurai District.

2. The Inspector of Police,
Karimedu Police Station,
Madurai City, Madurai.

+ 1 CC TO Mr.B.CHANDRAN, ADVOCATE IN SR No. 57530
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 57878

PMU
TE/JC/SAR-IV : 01/06/2017 : 2P/5C

W.P. (MD) No. 9239 of 2017
25.05.2017