

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2018

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.29831 of 2018

M.Kodhandapani

...Petitioner

Vs.

1.The State Rep by,
The District Superintendent of Police
Kancheepuram District
Kancheepuram.

2.The State Rep by,
The Deputy Superintendent of Police
Mamallapuram Rang,
Kancheepuam.

3.The State Rep by,
The Inspector of Police,
Thiruporur Police Station
Kancheepuram District

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to consider petitioner's representation dated on 02.11.2018 to permit and contest the Fasting Hunger Strike on 18.11.2018 with peaceful manner in accordance with law.

For Petitioner : Mr.K.Karthik

For Respondents : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

This petition has been filed seeking for a direction to respondent Police to consider the representation of the petitioner dated 02.11.2018 and to permit the petitioner to conduct Fasting Hunger Strike on 18.11.2018.

2.The petitioner was the MLA representing the Thiruporur Constituency. The petitioner wants to conduct a Hunger Strike in order to protest against certain policies of the Government. The representation was also given on 02.11.2018 to the respondents seeking for permission and police protection to

conduct the Fasting Hunger Strike. However, it was not considered by the respondent Police and therefore, the present Writ Petition has been filed.

3.The petitioner is a representative of the people of his constituency and he wants to show his protest against the policies of the Government by sitting on a Hunger Strike on 18.11.2018. The petitioner also belongs to a political party. This Court is not able to see any reason as to why such a permission should not be granted to the petitioner. The petitioner has already made representation to the third respondent by indicating the venue and also the date and time at which the Hunger Strike is planned to be conducted. The respondent Police can always impose reasonable conditions for the purpose of permitting the petitioner to conduct the Hunger Strike. The petitioner shall also given an undertaking before the third respondent that the petitioner or any of the person belonging to his party will not indulge in any activities which will result in a law and order problem.

4.This writ petition is disposed of with the direction to the third respondent to grant permission to the petitioner to conduct 'Fasting Hunger Strike' on 18.11.2018 between 9.00 a.m. to 5.00 p.m. at the venue suggested by the petitioner. The third respondent is entitled to impose any reasonable conditions for granting permission and the petitioner shall also give a written undertaking to the third respondent that no one will indulge in any activities resulting in law and order problem and the entire Hunger Strike will be conducted in a peaceful manner without disturbing the public peace. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1.The District Superintendent of Police
Kancheepuram District
Kancheepuram.

2.The Deputy Superintendent of Police
Mamallapuram Rang,
Kancheepuam.

3.The Inspector of Police,
Thiruporur Police Station
Kancheepuram District

+1cc to Mr.K.Durai Murugan, Advocate sr.no.77805

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pa(co)
nr 15/11/2018