



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.13419 of 2018

S.P.Narayanan

... Petitioner

Vs.

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

2. The Inspector of Police,
Tiruchendur Police Station,
Thoothukudi District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of Certiorarified Mandamus by calling for the entire records pertaining to the rejection order passed by the second respondent vide his order, dated 17.06.2018 and quash the same and consequently direct the second respondent to accord permission for the petitioner's hunger strike which is scheduled to be taken place on 28.06.2018 and 29.06.2018 in front of the Kamaraj Statue, Kamarajar Salai, Tiruchendur, Thoothukudi District.

For Petitioner	: Mr.R.Anand
For Respondents	: Mr.P.Kannidevan, Additional Government Pleader

O R D E R

This writ petition has been filed seeking to quash the impugned order passed by the second respondent, dated 17.06.2018 and consequently, direct the second respondent to grant permission to conduct hunger strike, which is scheduled to be held on 28.06.2018 and 29.06.2018 in front of the Kamaraj Statue, Kamarajar Salai, Tiruchendur, Thoothukudi District.

2. Heard the learned counsel appearing for the petitioner as well as the learned Additional Government Pleader appearing for the respondents.



3. According to the petitioner, he made a representation to the second respondent to grant permission to conduct hunger strike, which is scheduled to be held on 28.06.2018 and 29.06.2018 in front of the Kamaraj Statue, Kamarajar Salai, Tiruchendur, Thoothukudi District. The said representation was rejected on the ground that if the permission is granted, there will be a hindrance to free flow of traffic and also the likelihood of law and order problem. Challenging the aforesaid order, the present writ petition has been filed. He would further submit that the said order has been passed without providing an opportunity to the petitioner and the petitioner has sought for a permission only for the hunger strike to show the protest condemning the private encroachments in the Thiruchendur Temple.

4. At this stage, the learned counsel for the petitioner has fairly stated that the date to conduct the hunger strike has now over and therefore, seek permission of this Court to make a fresh representation to the second respondent in the alternative place to show the protest by way of hunger strike.

5. The learned Additional Government Pleader appearing for the respondents would submit that the place now sought for by the petitioner was rejected on the ground that if any permission is granted to conduct the hunger strike by the petitioner, it would hindrance to the free flow of traffic and causing likelihood of law and order problem. If any fresh representation is made by the petitioner, the same would be considered in accordance with law.

6. In the light of the above submissions, this writ petition is dismissed with liberty to the petitioner to make a fresh representation to the second respondent mentioning the alternative place for conducting hunger strike. If any such representation is received, the Inspector of Police, Thiruchendur Police Station, Thoothukudi District shall consider the same and pass appropriate orders on merits and in accordance with law. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The Superintendent of Police,
Thoothukudi District,



2. The Inspector of Police,
Tiruchendur Police Station,
Thoothukudi District.

+ 1 CC TO Mr.R.ANAND, ADVOCATE IN SR No. 72913
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 73034

AM

TE/RP/SAR-1 : 01/08/2018 : 3P/5C

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