



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.11.2019

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD).No. 23459 of 2019

and W.M.P.(MD) No. 20103 of 2019

R. Navaneetha Krishnan

... Petitioner

Vs.

1. The District Collector,
Viruthunagar District,
Viruthunagar.

2. The District Educational Officer,
District Education Office,
Srivilliputhur, Virudhunagar District.

3. The Inspector of police,
Vanniyampatti Police Station,
Viruthunagar District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the order passed by the third respondent dated 24.10.2013 and quash the same as illegal and consequently to direct the third respondent to permit the petitioner to conduct fasting agitation program on 12.11.2019 between 09.00 a.m. to 05.00 p.m, at Mariyamman Kovil Street, P. Ramachandrapuram, Srivilliputhur Taluk, Viruthunagar District.

For Petitioner : Mr.P. Subbaraj

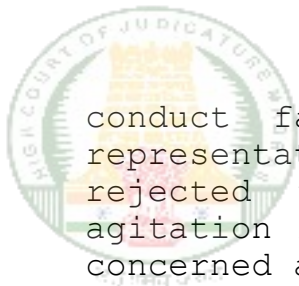
For Respondents: Mr.R. Anandharaj,

Additional Public Prosecutor

O R D E R

This petition has been filed to quash the order, dated 24.10.2013 passed by the third respondent and also seeking for a consequential direction to the third respondent to permit the petitioner to conduct fasting agitation program on 12.11.2019 between 09.00 a.m. to 05.00 p.m, at Mariyamman Kovil Street, P. Ramachandrapuram, Srivilliputhur Taluk, Viruthunagar District.

2. It is seen that the petitioner belongs to a political party and demanded to construct a toilet facility to the students to avoid their urination in the street and the public places. Therefore, the students also agitated on 07.12.2018 for seeking toilet facilities in their school and their agitation, the Head Master and other officials were promised to provide toilet facilities very soon, even then, the toilet facility is not provided to the school students of R.K. Government Higher Secondary School. Thereafter, the petitioner also sent repeated representations for necessary action, but no action was taken. Hence, they decided to



conduct fasting agitation to achieve their request. On the representation, the third respondent passed an order thereby rejected their request seeking permission to conduct fasting agitation for the reason that the grievances should made before the concerned authorities.

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3. It is seen from the impugned order, the third respondent did not state any reason as if there would be law and order issue. Instead of, the third respondent directed the petitioner to approach the concerned authorities.

4. Considering the facts and circumstances of the case, the petitioner is directed to sent another fresh request to the third respondent and on receipt of the same, the third respondent is directed to consider the same and pass order in view of the above discussions forthwith. While passing the order, the third respondent is at liberty to impose certain conditions and if any incident will happen, the third respondent is at liberty to take appropriate action as against the persons who committed illegal activities.

5. With the above directions, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (crl.side)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The District Collector,
Viruthunagar District, Viruthunagar.
2. The District Educational Officer,
District Education Office,
Srivilliputhur, Virudhunagar District.
3. The Inspector of police,
Vanniyampatti Police Station,
Viruthunagar District.
4. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.P.SUBBARAJ, Advocate (SR-96634[F] dated 07/11/2019)
ksa

Order made in
W.P (MD)No. 23459 of 2019
07.11.2019