



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2019

CORAM:

THE HONOURABLE **MR. JUSTICE A.D. JAGADISH CHANDIRA**

W.P. (MD) No.24379 of 2019

R.Alexander

: Petitioner

Vs.

1.The Inspector General of Police,
Southern Zone,
77, 4th Street, K.K.Nagar,
Race Course Colony,
Ramaond Reserve Line,
Madurai.

2.The Assistant Commissioner of Police,
O/o. The Assistant Commissioner of Police,
Madurai.

3.The Inspector of Police,
E1 Police Station,
K.Pudur,
Madurai-2.

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 2 and 3 to grant permission for holding of a peaceful assembly and hunger strike against the caste discrimination and practices of untouchability, practiced against Dalit Christians, in the place and time to be stipulated by the respondent police, within the time that may be stipulated by this Court.

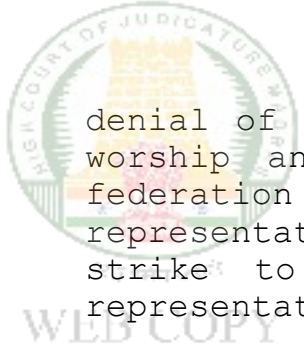
For Petitioner : Mr.Shaazim Shagar,
for M/S. Ajmal Associates.

For Respondents : Mrs. S.Bharathi,
Government Advocate(Crl.side)

ORDER

This Writ Petition has been filed to direct the respondents 2 and 3 to grant permission for holding of a peaceful assembly and hunger strike against the caste discrimination and practices of untouchability, practiced against Dalit Christians, in the place and time to be stipulated by the respondent police, within the time that may be stipulated by this Court.

2.The learned counsel appearing for the petitioner would submit that the petitioner is the President of the Dalit Christians people federation, which is established for ensuring egalitarian quality for persons belonging to the Dalit Christian Community along with other members of the society. He would further submit that in the society, there is caste system which includes, untouchability and



denial of equal opportunities to adduction and access to places of worship and therefore, condemning such practice, the petitioner federation prepared to hold a peaceful hunger strike and sent a representation dated 14.10.2019 seeking permission to conduct hunger strike to the respondents. Since no orders passed on the representation of the petitioner, he filed the present petition.

3.Today, when the matter is taken up for hearing, the learned Government Advocate(Crl.side) would submit that the respondents are prepared to give permission to the petitioner, only after the completion of the local body elections.

4.The learned counsel appearing for the petitioner, on instructions, would submit that the petitioner is prepared to conduct hunger strike on **10.01.2020** in a permitted place.

5.In view of the same, the respondents police are directed to grant permission for conducting the peaceful hunger strike, by imposing the following conditions:

1) *The hunger strike scheduled to be held on 10.01.2020 by the petitioner should be completed within the time frame fixed by the respondent police;*

2) *The petitioner and other participants shall not shout, raise any slogan against any party or party leader, any caste, community or creed;*

3) *The petitioner shall ensure that no untoward incident is caused disturbing the public peace and tranquillity;*

4) *Public address system can be used only within permissible limits;*

5) *The petitioner will ensure that no flex board or hoardings depicting particular community or leader will be displayed;*

6) *There should not be any Flex Boards representing any community or political leaders;*

7) *If there is any violation of any one of the conditions imposed, the concerned Police Officer is at liberty to take necessary action, as per law and stop such performance;*

8) *Similarly, the Police is empowered to stop the hunger strike, if it exceeds beyond the permitted time;*

9) *The participants of the hunger strike shall not intake any kind of toxic substance or liquor during the strike;*



10) If there is any untoward incident takes place, the organizers of the hunger strike be made responsible for the same;

11) The second respondent is at liberty to put any further restrictions or to impose any condition purely in the interest of preserving public order and tranquillity, so as to maintain law and order and communal harmony.

6. The petitioner is also directed to ensure that the conditions are strictly complied with and also to ensure that no law and order problem is created during the course of conducting the hunger strike.

7. The writ petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

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To

1. The Inspector General of Police,
Southern Zone,
77, 4th Street, K.K.Nagar,
Race Course Colony, Ramaond Reserve Line,
Madurai.
2. The Assistant Commissioner of Police,
O/o. The Assistant Commissioner of Police,
Madurai.
3. The Inspector of Police,
E1 Police Station,
K.Pudur, Madurai-2.
4. The Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

W.P. (MD) No. 24379 of 2019
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