

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.02.2020

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THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

W.P.No.4430 of 2020

Farmers Association,
Represented by its General Secretary,
Mr.P.Kandasamy,
Priya Complex, 2nd Floor,
53, 12 Gopalapuram 1st Street,
Coimbatore - 641 018.

... Petitioner

Vs.

1. The Government of Tamil Nadu,
Rep. By its Secretary,
Home Department,
St. George Fort, Chennai.
2. The Superintendent of Police,
Coimbatore - 641 018.
3. The Deputy Superintendent of Police,
Perur Sub Division,
Coimbatore District.
4. The Inspector of Police,
Madukarai Police Station,
Coimbatore.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records impugned order in Na.Ka.No.09/Thu.Kaa.Ka.Pe.Vu.Ko. Dated 17.02.2020 on the file of the third respondent herein, quash the same and direct the fourth respondent to permit the petitioner Association to organize peaceful protest and fast at the places such as near Nataraj Hospital Bus Stop or opposite to the office of the Block Development Office or near Marappalam or near in the Northern side of Police Station Madukarai, Coimbatore District or in any other place in Madukarai, Coimbatore to be held from 9.00 a.m to 5.00 p.m on 24.02.2020.

For Petitioner : Mr. C.R.Prasanan
For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This petition has been filed to issue a Writ of Certiorarified Mandamus to quash the impugned order passed by the third respondent in Na.Ka.No.09/Thu.Kaa.Ka.Pe.Vu.Ko. Dated 17.02.2020 and direct the fourth respondent to permit the petitioner Association to organize peaceful protest and fast at the places such as near Nataraj Hospital Bus Stop or opposite to the office of the Block Development Office or near Marappalam or near in the Northern side of Police Station Madukarai, Coimbatore District or in any other place in Madukarai, Coimbatore to be held from 9.00 a.m to 5.00 p.m on 24.02.2020.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. The learned counsel for the petitioner has submitted that the petitioner Association is a registered Association and it has 2,744 members on its roll. He further submitted that in order to bring the attention of the State Government of Tamil Nadu and the Central Government of India, the grievances of farmers effectively to protect the farmers, the petitioner Association wanted to stage a peaceful protest by way of one day fasting from 10.00 a.m to 5.00 p.m and hence, the petitioner has submitted a representation before the third respondent to give permission for having a meeting, protest, fasting on the above said date in front of the Taluk Office, Madukarai on 24.02.2020 from 10.00 a.m to 5.00 p.m. But the third respondent has rejected the said representation by the impugned order dated 17.02.2020. He further submitted that after rejection of the petitioners representation dated 16.02.2020, the petitioner has submitted another representation dated 18.02.2020 suggesting some other place, but so far, no action was taken on the said representation and therefore, he prayed to quash the impugned order and also to direct the fourth respondent to consider the petitioner's representation and grant permission to the petitioner to conduct peaceful protest by way of one day fasting from 10.00 a.m., to 5.00 p.m., on 24.02.2020.

4. The learned Additional Public Prosecutor has submitted that since the petitioner Association sought permission for conducting a protest by way of one day fasting from 10.00 a.m to 5.00 p.m in front of the Taluk Office, Madukarai, considering the fact that nearer to the said place, a

Court also functioning and a large number of people may come to attend the Court and also to the Taluk Office, Madukarai and the petitioner's representation was rejected. However, he requests to direct the fourth respondent to consider the petitioner's representation dated 18.02.2020 and pass appropriate order.

5. Considering the above said submissions, the petitioner is directed to appear before the third respondent on 22.02.2020 at 10.00 a.m., On his appearance, the third respondent is directed to conduct an enquiry with the petitioner and also with the rival group, if any and dispose of the petitioner's representation dated 18.02.2020 and inform the same to the petitioner.

6. With the above directions, this Writ Petition stands disposed of.

s/d-

Assistant Registrar (CS VIII)

True Copy

Sub-Assistant Registrar

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To

1. The Secretary,
Government of Tamil Nadu,
Home Department,
St. George Fort, Chennai.
 2. The Superintendent of Police,
Coimbatore - 641 018.
 3. The Deputy Superintendent of Police,
Perur Sub Division,
Coimbatore District.
 4. The Inspector of Police,
Madukarai Police Station,
Coimbatore.
- +1 CC to Mr.C.R. Prasanan, Advocate sr 15280.

W.P.No.4430 of 2020

BR(CO)
SP(21/02/2020)