



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 08.01.2020

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Writ Petition(MD)No.260 of 2020

WEB COPY

K.Mohan

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai City Police,
Madurai.

2.The Inspector of Police,
Anna Nagar Police Station,
Anna Nagar,
Madurai.

...Respondents

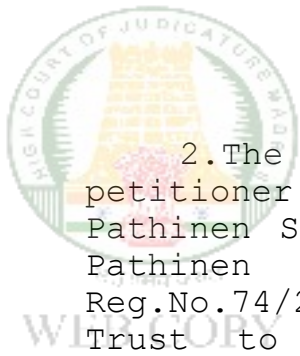
Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to grant permission for conducting a Peaceful Hunger Fast with the members of out Trust (Arulmigu Siththar Kovil Pathinen Siththar, Siththar Karuvurar Tamil Vedha Arudpani Mandram Pathinen Siththar Arasayogi Karuvurar Thirukovil Trust Reg.No.74/2018) along with public at large who are all interested to participate in the said Hunger Fast at Anna Nagar Madurai (Near Ambika Theatre) on 12.1.2020 from morning 9.00 am to evening 5.00pm on the basis of the representation made by the petitioner to the respondents on 2.1.2020.

For Petitioner : Mr.Gowri Shankar for
Mr.R.Babu Jaganath

For Respondents : Mrs.S.Bharathi
Govt. Advocate (crl.side)

O R D E R

This writ petition has been filed seeking for a direction to the respondents to grant permission for conducting a Peaceful Hunger Fast with the members of the petitioner Trust (Arulmigu Siththar Kovil Pathinen Siththar, Siththar Karuvurar Tamil Vedha Arudpani Mandram Pathinen Siththar Arasayogi Karuvurar Thirukovil Trust Reg.No.74/2018) along with public at large, who are all interested to participate in the said Hunger Fast at Anna Nagar Madurai (Near Ambika Theatre) on 12.1.2020 between 9.00 am and 5.00 pm, on the basis of the representation made by the petitioner to the respondents on 02.01.2020.



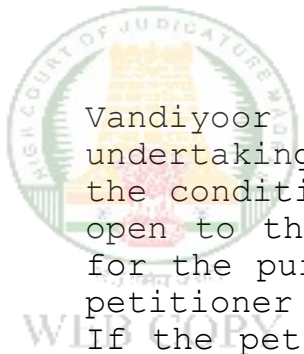
2.The learned counsel for the petitioner would submit that the petitioner is a Member of the Trust (Arulmigu Siththar Kovil Pathinen Siththar, Siththar Karuvurar Tamil Vedha Arudpani Mandram Pathinen Siththar Arasayogi Karuvurar Thirukovil Trust Reg.No.74/2018). The above Trust is run by the Members of the said Trust to spread the ideologies of pathinen siththars, more specifically to spread the ideology of Arasayogi Karuvurar, who said to be the foremost adviser for the erstwhile Kingdom of Chola Dynasty, more particularly, who played a vital role in giving advice towards the construction of Periyakovil of Thanjavur for King Raja Raja Chola. Now, the members of the above said trust came to understand that the consecration (Kumbabhishekam) of Thanjavur Periya Kovil is going to be held on 05.02.2020 and during the time, if the rituals of the consecration festival is not done as per the ancient procedure and as per the advises given by Arasayogi Siththar Karuvurar, then there is every possibility of happening of untoward incidents, which ought to be avoided at any cost by taking the note of the same to the Government officials and concerned authorities. In this regard, the petitioner sent a representation to the concerned authorities to celebrate the consecration function by giving importance to Tamil and further in pursuance of the said representation, to attract the attention of the said authorities, the petitioner's Trust members have decided to undergo a peaceful Hunger Fast at Anna Nagar, Madurai and as such on 02.01.2020, the petitioner sent a representation seeking permission from the said respondents in person and through Speed Post to conduct the Hunger Fast in a peaceful manner at the place mentioned above. Since no action has been taken so far, the present writ petition has been filed.

3.The learned Government Advocate (criminal side) appearing for the respondents would submit that the respondent police have no objection to conduct the Hunger Fast, however, they have only objection regarding the place and if the petitioner is agreeable to conduct the hunger fast at the alternative venue at Vandiyoor Manthai, they have no objection.

4.At this juncture, the learned counsel for the petitioner would submit that the petitioner is agreeing to conduct the hunger strike at the place in Vandiyoor Manthai.

5.The learned Government Advocate (criminal side) would submit that the respondent police have no objection to conduct the hunger strike at the place in Vandiyoor Manthai.

6.In view of the above situation, this Court is inclined to direct the respondent police to grant permission to the petitioner to conduct hunger fast. Accordingly, the second respondent is directed to grant permission to the petitioner to conduct hunger



Vandiyoor Manthai. The petitioner is directed to give an undertaking affidavit mentioning that they will not violate any of the conditions imposed on them by the respondent police. It is left open to the second respondent to impose any reasonable conditions, for the purpose of giving such permission to the petitioner and the petitioner is duty bound to comply with the conditions without fail. If the petitioner or the member belonging to his Trust violate any of the conditions imposed by the second respondent, it is left open to the second respondent to take action in accordance with law.

7.The writ petition is disposed of with the above direction.

Sd/-

Assistant Registrar

/ True Copy /

/ /2020

Sub Assistant Registrar(CS-II)

To

1.The Commissioner of Police,
Madurai City Police,
Madurai.

2.The Inspector of Police,
Anna Nagar Police Station,
Anna Nagar, Madurai

+1 CC to M/s.R.BABU JAGANATH, Advocate(SR-899[F] dated 08/01/2020)

order made in
Writ Petition(MD)No.260 of 2020
08.01.2020

skn
ES/SAR 2/08.01.2020/3P/4C