



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.12.2020

CORAM:

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

W.P.(MD) No.18761 of 2020

Central and State Government SC/ST Employees
and People's Federation,
Represented by its Spokesperson,
M.Madasamy,
No.136, Savadi Street,
Sundararajapuram,
Rajapalayam Taluk,
Virudhunagar District.

.. Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Virudhunagar District.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Rajapalayam Sub Division,
Virudhunagar District.

3.The Inspector of Police,
Sethur Rural Police Station,
Virudhunagar District.

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records connected to the order in Na.Ka.No.27/U.Ko.A./Rajapalayam/ 2020, dated 15.11.2020 and quash the same and consequently directing the Respondents to grant permission to stage demonstration condemning illegal mining activities in and around Sundararajapuram Village, under Rajapalayam Taluk in Virudhunagar District.

For Petitioner	: Mr.S.Malaikani
For Respondents	: Mr.R.Srinivasan
	Government Advocate

O R D E R

By consent, this writ petition is taken up for final disposal at the stage of admission itself.

2. The petitioner is before this Court, seeking to quash the impugned order of the second respondent dated 15.11.2020, by which, the petitioner's requisition for conducting stage demonstration on 16.11.2020, condemning illegal mining activities in and around Sundararajapuram Village, Rajapalayam Taluk, Virudhunagar



District, was rejected due to Covid-19 pandemic.

3.The case of the petitioner is that he is the Spokesperson of Central and State Government SC/ST Employees and People's Federation. In and around Sundararajapuram Village illegal mining activities are taken place years together. Because of such continued illegal mining activities there is a serious threat to agriculture in future. Therefore, the petitioner has made a representation, dated 12.11.2020 to the third respondent to grant permission to conduct a stage demonstration at O.P.Bus Stop at Krishnapuram. Without any notice to the petitioner, the second respondent has passed the present impugned order, dated 15.11.2020 on the petitioner's representation dated 12.11.2020. Hence, aggrieved by the same, the petitioner is before this Court.

4.Though the petitioner has come out with the larger prayer, now the learned counsel for the petitioner would state that the Government has passed G.O.No.673, Revenue and Disaster Management (D.M.IV) Department, dated 30.11.2020 giving certain relaxation and therefore, would pray for considering the petitioner's representation dated 18.11.2020, in the light of the above G.O.

5.Considering the facts and circumstances of the case, the respondents are directed to consider the representation of the petitioner dated 18.11.2020, in the light of the G.O.No.673 of 2020 (Revenue and Disaster Management) dated 30.11.2020 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner. Such exercise shall be completed within a period of two weeks from the date of receipt of a copy of this order.

6.The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.



To

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2.The Deputy Superintendent of Police,
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