



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 16.03.2022

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THE HONOURABLE MR. JUSTICE **G.K. ILANTHIRAIYAN**

W.P (MD).No. 4577 of 2022

S.Chinnakalai

... Petitioner

Vs.

The Inspector of Police
Kadamalaikundu Police Station,
Theni District

...Respondent

Prayer : This petition is filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order dated 12.03.2022 passed by the respondent, quash the same and direct the respondent to give permission to the petitioner to conduct fasting on 18.03.2022 from 08.00 AM to 05.00 PM in the vacant place situate near the Vinayagar Temple at Kadamalaikundu Village, Aundipatty Taluk, Theni District

For Petitioner : Mr.D.Malaichamy

For Respondent : Mr.R.M.Anbunithi

Additional Public Prosecutor

ORDER

This Petition has been filed to call for the records relating to the impugned order dated 12.03.2022 passed by the respondent, quash the same and direct the respondent to give permission to the petitioner to conduct fasting on 18.03.2022 from 08.00 AM to 05.00 PM in the vacant place situate near the Vinayagar Temple at Kadamalaikundu Village, Aundipatty Taluk, Theni District.

2. It is the case of the petitioner that his villagers have been cultivating their respective lands in Theni district. While it being so, the forest officials of Theni District have been harassing the villagers and preventing them from doing cultivation in their lands. In this regard, the forest officials has also registered cases against the villagers in Crime Nos.14 and 16 of 2022. Aggrieved over the same, the villagers now want to go for fasting as against the forest officials condemning the action of the Mayiladumparai police station. Therefore the petitioner has submitted a representation seeking permission to observe fasting on 18.03.2022 at 8.00a.m., to 5.00 p.m., however it was rejected for the reason that there is some traffic problem and law and order problem.



3. The learned counsel for the petitioner would submit that they will go for fasting without using any mikeset and demonstration.

4. In view of the same, the impugned order passed by the respondent dated 12.03.2022 is hereby set aside and the petitioner may be permitted to observe fasting in the ground situated near Vinayagar temple, Kadamalaikundu Village, Aundipatti Taluk, Theni District without using mikeset and any demonstration. They are permitted to put up shamiyana (panthal) to observe fasting.

5. With the above direction, the Writ petition stands disposed of. No costs. The respondent is directed to strictly adhere to the Standard Operating Procedure adopted by the Government of Tamil Nadu and grant permission to the writ petitioner to conduct the fasting on 18.03.2022 between 8.00 a.m., to 5.00 pm., near Vinayagar temple, Kadamalaikundu Village, Aundipatti Taluk, Theni District subject to the aforesaid conditions

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1.The Inspector of Police
Kadamalaikundu Police Station,
Theni District

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.D.MALAICHAMY, Advocate (SR-12549[F] dated 16/03/2022)

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16.03.2022

ck(CO)

TR(16.03.2022) 2P 4C