



W.P.(MD)No.16292 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 26.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

AND

THE HONOURABLE Mrs. JUSTICE R.HEMALATHA

W.P.(MD)No.16292 of 2022

P.P.Ramasamy

: Petitioner

Vs.

- 1.The Secretary to Government of Tamil Nadu
Department of Environment and Forest
Fort st. George, Chennai.
- 2.The Secretary to Government of Tamil Nadu
Department of State Highways,
Fort St. George, Chennai.
- 3.The Secretary to Government of Tamil Nadu
Department of Tourism Development Corporation,
Fort St. George, Chennai.
- 4.The District Collector
Collectorate, Trichy.
- 5.The Tahsildar
Taluk Office,
Thuraiyur Taluk
Trichy District
- 6.The Superintendent of Police,
Trichy



W.P.(MD)No.16292 of 2022

7. The Inspector of Police,
Uppiliapuram Police Station,
Trichy District

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned order of refusal dated 29.04.2022 passed by the 7th respondents 6 and 7 to grant permission and provide protection to convene continuous hunger strike (Thodar Unnaviratham) near Anna Statue in Uppiliapuram, Thuraiyur Taluk, Trichy District based on the representation dated 29.04.2022 and 14.06.2022 from a date that may be fixed by this Court and direct the respondents 1 to 3 to take immediate action to lay proper road from Sobanapuram to Top Sengattupatti by diverting the forest land to non forest purpose of such laying and widening road within a time that may be stipulated by this Court.

For Petitioner	: Mr.M.Balakrishnan
For Respondents	: Mr.SR.A.Ramachandran Additional Government Pleader

ORDER

(Order of the Court was made by P.N.PRAKASH, J.)

The petitioner gave a representation dated 29.04.2022 to the 7th respondent (Inspector of Police), Uppiliapuram Police Station, seeking permission for conducting a “Relay Fast” in order to draw the attention of the authorities, for repairing the hill road from Sobanapuram to Top



W.P.(MD)No.16292 of 2022

Sengattupatti immediately. The 7th respondent has refused permission, challenging which, the present petition has been filed.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

3. Today, Mr.N.Panneerselvam, Village Administrative Officer, Thenpuranadu, Thuraiyur Taluk, Trichy District is present.

4. On instructions, the learned Additional Government Pleader submitted that the total length of the said road is 18 kilometer, out of which, 11.49 kilometers fall within forest area, for which, funds have to be got from the Government by the Forest Department and given to the State Highways for the purpose of repairing the road. In this connection, Mr.SRA.Ramachandran, learned Additional Government Pleader, brought to our notice the communication dated 17.12.2020 from the Engineer, Forest Department, who has stated that as soon as funds are received for this purpose, steps would be taken for repairing the road.



W.P.(MD)No.16292 of 2022

5. It is common knowledge that due to COVID-19 Pandemic, the State is undergoing a serious financial crunch. That apart, the reason given by the Inspector of Police for refusing permission for conducting the relay fast cannot be said to be ill-founded, inasmuch as he has advised the petitioner to first approach the authorities for redressal of their grievance.

6. In the result, we find no merit in this petition. Accordingly, the writ petition is dismissed. However, we direct the 4th respondent to look into the grievance of the locals and take appropriate action in this regard. No costs.

[P.N.P., J.] & [R.H., J.]
26.07.2022

Index : Yes/No
Internet : Yes
RR



W.P.(MD)No.16292 of 2022

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W.P.(MD)No.16292 of 2022

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