



WP(MD)No.23262 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.10.2022

CORAM:

THE HONOURABLE **MR.JUSTICE SATHI KUMAR SUKUMARA KURUP**

W.P.(MD)No.23262 of 2022

S.Amose

... Petitioner

/vs./

1. The District Collector,
Kanyakumari District.
2. The Director General of Police
Government of Tamil Nadu
O/o. Director General of Police
Chennai.
3. The Superintendent of Police
O/o. Superintendent of Police,
Nagercoil, Kanyakumari District
Kanyakumari
4. The Deputy Superintendent of Police
O/o. Deputy Superintendent of Police,
Nagercoil, Kanyakumari District
Kanyakumari
5. The Inspector of Police
Nesamani Nagar Police Station
Kanyakumari District
Kanyakumari.

... Respondents

(R1 is *suo motu* impleaded vide order of this Court, dated 10.10.2022 and the original respondents are re-arranged accordingly)



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing Respondents 2 to 4 to grant permission to the Petitioner and other members of the Kumari Makkal Urimaigal Padugappu Sangam to conduct a public meeting / Hunger Protest Opposite to District Collector's Office, Nagercoil from 10 am to 5 pm on 17.10.2022 or on any other date or time within the time frame stipulated by this Hon'ble Court

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

ORDER

The Petitioner has filed the above Writ Petition to issue a Writ of Mandamus, directing the Respondents 2 to 4 to grant permission to the Petitioner and other members of the Kumari Makkal Urimaigal Padugappu Sangam to conduct a public meeting / Hunger Protest Opposite to District Collector's Office, Nagercoil from 10 am to 5 pm on 17.10.2022 or on any other date or time within the time frame stipulated by this Hon'ble Court

2.The learned Additional Public Prosecutor takes notice for the Respondents. By consent, the Writ Petition itself is taken up for final disposal.



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3.Heard the learned Counsel for the Petitioner and the learned Additional Public Prosecutor appearing for the Respondents.

4.The learned Counsel appearing for the Petitioner would submit that the Petitioner has sought permission to conduct hunger strike in front of the Collectorate at Nagercoil regarding the right of workers affected by declaration of Eco Sensitive Zone.

5. The learned Additional Pubic Prosecutor by way of reply submitted that previously no one was permitted to conduct protest in front of Collectorate and now due to high way widening no one is permitted to protest before the District Collectorate, at Nagercoil.

6.The District Collector, Kanyakumari District is *suo motu* impleaded as first respondent, considering the subject matter of the adjudication.



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7. Considering the submission of the learned Additional Public Prosecutor that the road widening project is going on adjoining to the Collectorate Office, the Petitioner seeking permission to conduct protest in front of the Collectorate cannot at all be accepted considering the free flow of traffic and inconvenience caused to the general public who use the road.

7. In view of the same, the Petitioner is directed to approach the District Collector, Kanyakumari District. The District Collector, Kanniyakumari at Nagercoil in consultation with the Superintendent of Police, Kanniyakumari District at Nagercoil may pass appropriate orders considering the right of the Petitioner to protest in a democratic way in the light of the restrictions if any imposed by this Court on earlier occasion.

8. With the above direction, the Writ Petition is disposed of. No costs.

10.10.2022

Index : Yes / No

Internet : Yes / No

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



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SATHI KUMAR SUKUMARA KURUP, J.

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