



W.P(MD)No.25860 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.11.2022

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P(MD)No.25860 of 2022

S.Ganesan

...Petitioner

Vs.

**1.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.**

**2.The Deputy Superintendent of Police,
Office of the Superintendent of Police,
Tiruchendur,
Thoothukudi District.**

**2.The Inspector of Police,
Kulasekarapattinam Police Station,
Kulasekarapattinam,
Thoothukudi District.**

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiororified Mandamus directing to call for the records pertain to the impugned Rejection Order dated 10.11.2022 passed by the third Respondent and quash the same as illegal and further direct the Respondents 1 to 3 to grant permission to conduct one day hunger strike on 19.11.2022 at Thoothukudi District,



W.P(MD)No.25860 of 2022

Udangudi, Bharathi Thidal by considering the representation dated 10.11.2022.

For Petitioner : Mr. V.Rajiv Rufus
For Respondents : Mr. R.Suresh Kumar
Government Advocate (Crl. Side)

ORDER

The Petitioner has filed this Writ Petition to issue a Writ of Certiororified Mandamus directing to call for the records pertain to the impugned Rejection Order dated 10.11.2022 passed by the third Respondent and quash the same as illegal and further direct the Respondents 1 to 3 to grant permission to conduct one day hunger strike on 19.11.2022 at Thoothukudi District, Udangudi, Bharathi Thidal by considering the representation dated 10.11.2022.

2. When the case came up for hearing on an earlier occasion, the Writ Petition in W.P(MD) No.24596 of 2022 was filed by the Petitioner, which was allowed on 28.10.2022, directing the Respondents to pass appropriate order on change of date of protest. The Petitioner's representation was refused by the Respondents to hold protest before Bharathi Thidal. Therefore, he had preferred this Writ Petition for the



W.P(MD)No.25860 of 2022

second time and he had given representation which was also rejected.

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3. Today, when the case came up for hearing, this Court had sought alternative place from the Petitioner. It is to be noted that the right of protest is a recognized right of Constitution of India and the Respondents are directed to consider the representation of the Petitioner.

4. The learned Government Advocate (Crl. Side) submitted that the Petitioner can change the place where the protest will be convened instead of the present place.

5. The learned Government Advocate (Crl. Side) is directed to instruct the official Respondents herein to consider the fresh representation of the Petitioner favorably considering the right of protest granted under the Constitution of India.

6. The Respondents herein are directed to grant permission one day prior to hold the protest.



W.P(MD)No.25860 of 2022

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

17.11.2022

Index : Yes/No
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Note: Issue Order Copy on 18.11.2022



W.P(MD)No.25860 of 2022

To

- 1.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.
- 2.The Deputy Superintendent of Police,
Office of the Superintendent of Police,
Tiruchendur,
Thoothukudi District.
- 3.The Inspector of Police,
Kulasekarapattinam Police Station,
Kulasekarapattinam,
Thoothukudi District.
- 4.The learned Government Advocate (Crl.Side)
Madurai Bench of Madras High Court,
Madurai.



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W.P(MD)No.25860 of 2022

SATHI KUMAR SUKUMARA KURUP, J.

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W.P(MD)No.25860 of 2022

17.11.2022