



WEB COPY



W.P.No.17781 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2023

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THE HON'BLE Mr. JUSTICE **G.CHANDRASEKHARAN**

W.P.No.17781 of 2023

Varaaki

...Petitioner

Vs.

The Commissioner of Police,
Commissioner office,
Veparry, Chennai – 600 007.

Respondent

PRAYER: Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records from the respondent pertaining to the impugned proceedings No.510/T.P.2/E.Ko.102/2023 dated 05.06.2023 issued by the respondent and quash the same and consequently direct the respondent to grant permission to the petitioner to convene fasting as form of protest before the Kamarajar Salar, 1st line Beach Road, Chennai in any future date.

For Petitioner : Mr.P.Vijendran

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl. Side)



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ORDER

This Writ Petition has been filed for the issuance of Writ of Certiorarified Mandamus, to call for the records from the respondent pertaining to the impugned proceedings No.510/T.P.2/E.Ko.102/2023 dated 05.06.2023 issued by the respondent and quash the same and consequently direct the respondent to grant permission to the petitioner to convene fasting as form of protest before the Kamarajar Salar, 1st line Beach Road, Chennai in any future date.

2.The learned counsel for the petitioner submitted that petitioner sent a representation dated 19.05.2023 seeking permission to observe fasting until death near Kamaraj statue on 06.06.2023 in Marina beach. The reason for observing fasting are that:-

i)To open palm wine shops in Tamil Nadu in order to help the earning of palm wine manufacturers.

ii)to change the Mr.Davidson, I.P.S for the reason that he would not able to provide protection for preventing various crimes like murder, robbery, narcotic offences.



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iii) To take effective steps for preventing the deaths happening due to curious liquor.

3. However, his representation for observing fasting until death was not considered favourably and rejection order was passed on 05.06.2023 in proceedings No.510/T.P.2/E.Ko.102/2023. Challenging the said order, this petition is filed.

4. The learned Government Advocate (Criminal side) submitted that after the protest happened in connection with Jallikattu at marina in 2017, no permission is granted to conduct any kind of protest in Marina beach. Therefore, petitioner's prayer for observing a fasting until death cannot be permitted and thus this representation was rejected.

5. Considered the rival submissions and perused the records.

6. In view of the reasons given for rejection of petitioner's representation that there is no permission is granted for observing any protest in



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Marina after 2017, this Court disposes this petition giving liberty to the petitioner to submit a fresh representation citing alternative venue for observing fasting. If such representation is submitted, respondent is directed to pass appropriate orders on merits and in accordance with law within four weeks from the date of submission of fresh representation.

7. Accordingly, this Writ Petition stands dismissed.

15.06.2023

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Index: Yes/No

Speaking Order: Yes/No



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G.CHANDRASEKHARAN.J.,

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To

- 1.The Commissioner of Police,
Commissioner office,
Veparry, Chennai – 600 007.
2. The Public Prosecutor,
High Court of Madras.

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15.06.2023