



W.P.No.24445 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.08.2023

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

W.P.No.24445 of 2023

Ikkiya Vivasayigal Sangam (Regd.)
represented by its District President
Mr.M.Saravanan,
Kattukottai Post, Salem District,
Tamil Nadu 636 121

... Petitioner

Vs.

1. The District Collector,
Salem District, Salem.
2. The Commissioner of Police,
Salem 636 001.
3. The Assistant Commissioner
of Police, Salem Town,
Salem 636 001.
4. The Inspector of Police,
Salem Town Police Station,
Salem 636 001

Respondents

...

PRAYER: Writ Petition filed under Article 226 of the Constitution of India
praying for issuance of Writ of Mandamus directing the respondents 3 and 4



W.P.No.24445 of 2023

to grant permission to the petitioner farmers' association to organise One Day Fasting and peaceful demonstration on 28.08.2023 from 10.00 a.m. To 05.00 p.m., either in front of Salem Collectorate or Kottai Maithanam or at Nattanmai Kazhaga Kattidam, Salem Town, Salem, as requested in their representation dated 07.08.2023 within a reasonable time, as may be fixed by this Court.

For Petitioner : Mr. A.E. Ravichandran

For Respondents: Mr. L. Baskaran,
Govt. Advocate (crl.side0

ORDER

This Writ Petition is filed seeking a direction to the respondents 3 and 4 to grant permission to the petitioner farmers' association to organise One Day Fasting and peaceful demonstration on 28.08.2023 from 10.00 a.m. To 05.00 p.m., either in front of Salem Collectorate or Kottai Maithanam or at Nattanmai Kazhaga Kattidam, Salem Town, Salem, as requested in their representation dated 07.08.2023 within a reasonable time, as may be fixed by this Court.



W.P.No.24445 of 2023

WEB COPY

2. According to the petitioner Society, it is engaged in the welfare of the farmers in the Salem District and is having more than 50 members and supporters from all over Salem District. There are 150 sago factories functioning in Attur Division, Salem District and these factories discharge their waste water untreated into irrigation channels, canals and agricultural lands which ultimately reaches Vasisha River, due to which, Vasishta River got over polluted and it was identified as one of the most polluted rivers in India as per the report of Central pollution Control Board. It is the grievance of the petitioner that inspite of stiff opposition from the general public for establishing new sago factories, now action is being taken to establish a new modernised sago factory under the name and style of Kumaran Sago Factory in Kattukottai area and the government authorities concerned, without conducting any field inspection or environmental impact assessment, are indiscriminately granted permission for the proposed sago factory in Kattukottai Firkha. Thus, in order to bring the issue to the attention of law makers and the officers and general public, the farmers and



W.P.No.24445 of 2023

the villagers decided to observe One Day Fasting, in a peaceful manner and they gave representation on 25.07.2023 and 04.08.2023 to 4th respondent seeking permission to observe one day fasting in a peaceful manner on 07.08.2023, however, the 3rd respondent vide his letter dated 05.08.2023 refused to grant permission. Thereafter, they gave another representation to respondents 1,3 and 4 on 07.08.2023 seeking permission to conduct an one day fasting and peaceful demonstration from 10.00 am to 5.00 pm on 28.08.2023 either opposite to Salem Collectorate or Kottai Maithanam or Nattamai Kazhaga Kattidam, however the same is kept pending without passing any orders thereon. Therefore, left with no other alternative, the petitioner has filed the present writ petition.

3. The learned counsel appearing for the petitioners submitted that the petitioner Sangam is going to organise the One Day Fasting for a public cause, without causing any law and order problem on 28.08.2023, but the respondent police are hesitant to grant permission for the same. He further submitted that the petitioner Sangam is ready to obey any condition as may



W.P.No.24445 of 2023

be stipulated by the respondent police and assure that the entire event will be done in a peaceful manner without causing any disturbance to the general public.

4. The learned Govt. Advocate (crl.side) appearing for the respondents submitted that they are ready to grant permission to conduct One Day Fasting and peaceful demonstration on 28.08.2023 in Kottai Maithanam from 10.a.m. to 5 p.m.

5. Recording the submission of the learned Govt. Advocate (crl.side), this Writ petition is allowed with a direction to the 4th respondent to consider the representation of the petitioner sangam dated 07.08.2023 for the purpose of conducting One Day Fasting and peaceful demonstration on 28.08.2023 in Kottai Maithanam from 10.a.m. to 5 p.m., as admitted by the learned Govt. Advocate (crl.side) and grant permission with required conditions as prescribed by the Circular of Director General of Police.



W.P.No.24445 of 2023

WEB COPY

6. On such permission, the petitioner Sangam, shall conduct the event of One Day Fasting and peaceful demonstration on 28.08.2023 in Kottai Maithanam from 10.a.m. to 5 p.m.

7. With the above direction, this writ petition is disposed of. No costs.

Index: Yes/No

22.08.2023

Internet: Yes/No

msr

Note: Issue on 23.08.2023

To

1. The District Collector,
Salem District, Salem.
2. The Commissioner of Police,
Salem 636 001.
3. The Assistant Commissioner
of Police, Salem Town,
Salem 636 001.
4. The Inspector of Police,
Salem Town Police Station,
Salem 636 001

6 of 8



WEB COPY



W.P.No.24445 of 2023



WEB COPY



W.P.No.24445 of 2023

V.SIVAGNANAM, J.,

msr

W.P.No.24445 of 2023

22.08.2023