



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.10.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.29503 of 2023
and W.M.P.No.29124 of 2023

Selvakumar

... Petitioner

Vs.

1.The Superintendent of Police,
8, Pudukkuppam New Street,
Meenakshi Nagar, Pudukkuppam,
Cuddalore District – 607 001.

2.The Deputy Superintendent of Police,
Chidambaram Sub Division,
Sirkali Main Road,
Chidambaram – 608 001.

3.The Inspector of Police,
Bhuvanagiri Police Station,
Cuddalore District – 608 601.

... Respondents

Prayer: Writ Petition is filed under Section 226 of Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned rejection letter dated 05.09.2023 in C.No.13/SO/2023 issued on 06.09.2023 at 11.30 P.M, by the 3rd respondent and quash the same and consequently direct the respondents to grant permission to hold a meeting in future on any other date and pass



such other further order or orders as this Court may deem fit and proper in the circumstances of the case, Award Cost of Rs.3,00,000 /-.

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For Petitioner : Mr.T.N.Rajagopal for
Mr.E.Balamurugan

For Respondent : Mr.S.Udaya Kumar
Government Advocate (Crl. Side)
for R1&R2

ORDER

The petitioner herein made a request to the 1st respondent to grant permission for organizing a hunger strike near Bhuvanagiri MGR statue. The said request was declined by the 1st respondent citing Section 30(2) of District Police Act in force. Aggrieved by the same, the petitioner has filed writ petition seeking mandamus.

2.This Court directed the Government Advocate to verify whether Section 30(2) of the District Police Act is still in force. The Government Advocate on verification informed that the order passed under Section 30(2) of the District Police Act is not in force. The above said circumstances, this Court finds that there shall no impediment for the 1st respondent police to grant permission for the petitioner herein to a conduct peaceful hunger strike near Bhuvanagiri MGR statue.

3.However, the learned Government Advocate submits that MGR statue is in the



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cross road leading to Cuddalore and therefore, if a day long protest is permitted same will cause traffic congestion and disturbance to the public. If the place opted by the petitioner is not conducive and disturb the public routine life, then some other alternative place may be suggested by the organizers as well as the police for the hunger strike protest and permission to be granted to the place which is agreeable by both. The Government Advocate states if the organizers want to conduct the protest at Muthumariamman Thidal or Keerapalayam Car Stand, the same may be considered.

4. In view of the above submission, the learned petitioner's counsel states the respondent may issue permission for hunger strike in any one of the above place.

5. Recording the same, this writ petition is disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

16.10.2023

Index : Yes/No

Neutral Citation : Yes/No

ssr



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Dr.G.JAYACHANDRAN,J.

SSR

To

- 1.The Superintendent of Police,
8, Pudukuppam New Street,
Meenakshi Nagar, Pudukuppam,
Cuddalore District – 607 001.
- 2.The Deputy Superintendent of Police,
Chidambaram Sub Division,
Sirkali Main Road,
Chidambaram – 608 001.
- 3.The Inspector of Police,
Bhuvanagiri Police Station,
Cuddalore District – 608 601.
- 4.The Public Prosecutor,
High Court of Madras,
Chennai.

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