



W.P.(MD) No.21315 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.09.2023

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THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD) No.21315 of 2023

A.P.Sankaran

... Petitioner

/vs./

1.The Deputy Superintendent of Police,
Tiruchendur,
Thoothukudi District.

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

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in C.No.18/Permission/F5PS/2023 dated 22.08.2023 issued by the 2nd respondent and quash the same as illegal and subsequently to direct the 2nd respondent to consider the representation dated 19.08.2023 and grant permission to conduct one day hunger strike on 05.09.2023 at 10.00 am to 05.00 pm at Udangudi Bazar Bharathi Thidal.



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For Petitioner : Mr.V.Rajiv Rufus
For Respondents : Mr.B.Thanga Aravindh
Government Advocate (criminal side)

ORDER

This Writ Petition is filed under Article 226 of the Constitution of India seeking for a Mandamus to the respondent police to grant the permission to the petitioner to conduct one day hunger strike either on 05.09.2023 protesting continues acquisition of the lands by the State and the Central Government by defeating the livelihood of the small farmers.

2.It is submitted by the learned counsel that the respondent police have declined to grant the permission on the ground that the place, which was chosen by the petitioner to conduct the hunger strike, is a congested area, which will affect the traffic and other civil life of the people in that locality.

3.The learned Government Advocate (Crl.side) on the other hand submits that at the time of filing of the application, the petitioner has not given the details as to how many persons would participate in the hunger strike and the reason, for which the hunger strike is being taken up. It is submitted further that the



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respondent police have declined to grant the permission as the place chosen by the petitioner is next to the public road, thereby it causes lot of inconvenience to the commutation of the people and that if the petitioner approaches the police with an alternative venue, the police have no objection to grant the permission.

4.Considering the submissions made by the learned counsel on either side and on perusal of the records, this Petition is disposed of directing the petitioner to approach the police afresh and file a fresh application giving the details of alternate venue, number of persons expected to be participated in the hunger strike, on which the respondent police are directed to consider and dispose of the same by granting permission to the petitioner to conduct hunger strike by imposing suitable conditions. No costs.

Speaking : Yes / No

01.09.2023

NCC : Yes / No

Internet : Yes / No

Index : Yes / No

Note : Issue order copy on 01.09.2023

To

1.The Deputy Superintendent of Police,
Tiruchendur, Thoothukudi District.

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2.The Inspector of Police,
Kulasekarapattinam Police Station,
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DR.D.NAGARJUN, J.

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