



W.P(MD)No.26651 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.12.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P(MD)No.26651 of 2023

M.Sannasi

... Petitioner

Vs

1. The Superintendent of Police,
O/o.The Superintendent of Police,
Theni District.
2. The Deputy Superintendent Of Police,
O/o.The Deputy Superintendent of Police,
Periyakulam Sub Division,
Theni District.
3. The Inspector of Police,
Vadakarai Police Station,
Periyakulam - 625 601.
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order in Na.Ka.No. 12/Ka.Thu.Ka/Pe.Vu/2023, dated 19.10.2023 on the file of the 2nd respondent as illegal and consequently direct the 1st and 2nd respondents to grant permission to conduct Token Fasting programme to condemn the



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former Chief Minister O.Paneerselvam for not implementing any promise made during the election manifesto in our constituency on 15.11.2023 or any date fixed by this Court at 09.00 A.M. to 06.00 P.M. at near KSK Canteen, Periyakulam, Theni District.

For Petitioner : Mr.S.Vanchinathan

For Respondents : Mr.M.Sakthikumar

Government Advocate (Crl.Side)

ORDER

This writ petition has been filed challenging the impugned order in Na.Ka.No.12/Ka.Thu.Ka/Pe.Vu/2023, dated 19.10.2023 on the file of the 2nd respondent as illegal and consequently direct the 1st and 2nd respondents to grant permission to conduct Token Fasting programme to condemn the former Chief Minister O.Paneerselvam for not implementing any promise made during the election manifesto in our constituency on 15.11.2023 or any date fixed by this Court at 09.00 A.M. to 06.00 P.M. at near KSK Canteen, Periyakulam, Theni District.

2. The Government Advocate (Crl.Side) takes notice for the respondents. By consent, this writ petition is taken up for final disposal at the admission stage itself.



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3. The learned Government Advocate (Crl.Side) would submit that if fresh representation is given by the petitioner to the third respondent, the same will be considered. More over, the petitioner has to assure to arrange proper medical facility to conduct hunger strike and they should not use any defamatory words against any political party or Government.

4. I have considered the submission of the learned counsel appearing for the writ petitioner and the learned Government Advocate (Crl.Side) appearing for the respondents.

5. On considering the objection raised by the learned Government Advocate (Crl.Side), the impugned order is set aside and the petitioner is directed to submit a fresh representation along with an affidavit stating that necessary medical facility will be arranged in the aforesaid place and no defamatory words will be used against any political party or Government or person. The respondent is at liberty to impose any reasonable condition as situation demands. The petitioner should comply with the said conditions as imposed by the respondent. If



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any failure is noticed, the respondent is at liberty to take action against the petitioner in accordance with law.

6. With the above directions, this writ petition stands allowed to the extent that the above said hunger strike must be restricted to one day. No costs.

04.12.2023

NCC : Yes/No

Index : Yes/No

Internet : Yes/ No

Note: Issue order copy on 05.12.2023

PNM

To

1. The Superintendent of Police,
O/o. The Superintendent of Police,
Theni District.
2. The Deputy Superintendent Of Police,
O/o. The Deputy Superintendent of Police,
Periyakulam Sub Division,
Theni District.
3. The Inspector of Police,
Vadakarai Police Station,
Periyakulam - 625 601.
Theni District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN, J

PNM

ORDER IN
W.P(MD)No.26651 of 2023

Dated : 04.12.2023