



W.P.(MD)No.29038 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.01.2023**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.29038 of 2022

Sasikumar

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Pudhukottai District.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Town Police Station Circle,
Dindigul District.

3.The Inspector of Police,
Town Police Station,
Pudhukottai District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the third respondent to grant appropriate permission and adequate police protection to conduct agitation on 28.12.2022 at 11.00 a.m. near Annasilai bus stand, Pudhukottai District or any other earliest date in accordance with law within the time stipulated by this Court.



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For Petitioner : Mr.R.Alagumani

For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

This Writ Petition has been filed seeking a Writ of Mandamus, directing the third respondent to grant appropriate permission and adequate police protection to conduct agitation on 28.12.2022 at 11.00 a.m. near Annasilai bus stand, Pudhukottai District or any other earliest date in accordance with law within the time stipulated by this Court.

2. Mr.E.Antony Sahaya Prabahar, learned Additional Public Prosecutor takes notice for the respondents.

3. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents would submit that originally, FIR came to be registered in Crime No.406 of



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2022 as 'Women Missing', that after finding out the body of the victim girl on 27.11.2022, the case was altered into Section 302 IPC, that after initial investigation, the case was altered into Section 302 IPC r/w Sections 3(l)(r), 3(l)(s), 3(l)(w)(i) and 3(2)(v) of SC/ST (POA) Act, 1989 and subsequently, one Pandiyarajan was arrested and is in judicial custody and that investigation is proceeding in a proper direction. He would further submit that compensation proposal is now pending before the concerned District Collector and the same will be disbursed within a period of one week from today.

4. The learned counsel appearing for the writ petitioner would submit that subsequent to the filing of this petition, the third respondent has issued a Memorandum dated 24.12.2022 rejecting the permission on the ground that the present writ petition is pending before this Court.

5. Considering the facts and circumstances and also taking note of the submissions made on either sides, the writ petitioner is directed to give afresh representation to the third respondent mentioning the date and time of the agitation and on such representation, the third respondent



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is directed to consider the same and pass orders imposing necessary conditions within a period of one week from the date of representation.

6. With the above directions, this Writ Petition stands disposed of.

04.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm

To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Pudhukottai District.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Town Police Station Circle,
Dindigul District.
- 3.The Inspector of Police,
Town Police Station,
Pudhukottai District.



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K.MURALI SHANKAR,J.

csn

Order made in
W.P.(MD)No.29038 of 2022

Dated: 04.01.2023