



W.P.No.26765 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.26765 of 2024

C.Raja

... Petitioner

versus

- 1.The Superintendent of Police,
Salem, Salem District.
- 2.The Deputy Superintendent of Police,
Mettur, Salem, Salem District.
- 3.The Inspector of Police,
Mettur Police Station,
Mettur, Salem District.
- 4.The Commissioner,
Municipal Corporation of Mettur,
Mettur, Salem District.
- 5.The Inspector of Police,
Karumalaikoodal Police Station,
Mettur Taluk, Salem District.

...Respondents

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to grant permission to organize the hunger strike to be held on 15.09.2024 by considering the petitioner's representation dated 27.08.2024.

For Petitioner : Mr.K.Prabhakaran

For Respondents : Mr.S.Vinoth Kumar
Government Advocate (Criminal Side)



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ORDER

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Heard the learned counsel on either side and perused the materials placed on record.

2. The petitioner, a practicing advocate in the Mettur Bar Association, contends that his client, Raghu, objected to the laying of a pipeline in front of his house, which led to a wordy quarrel and ultimately resulted in the registration of FIRs in Crime Nos.120/2024 and 121/2024. Hence, the petitioner appeared on 31.05.2024 to assist his client during an interrogation, following which FIR No.130/2024 was filed against the petitioner also on 01.06.2024 by the 5th respondent police. The petitioner then requested CCTV footage under the RTI Act on 07.06.2024 and sought a transfer of investigation to another official on 11.06.2024. Moreover, the petitioner's client filed a complaint with the Human Rights Commission on 19.06.2024. Despite submitting a request for prior sanction on 25.05.2024 and a representation on 27.08.2024 seeking permission to organize a hunger strike on 15.09.2024, no action has been taken. Hence, this writ petition has been filed seeking a direction to the respondents to grant permission to hold the hunger strike, based on the petitioner's representation dated 27.08.2024.



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3. It is to be noted that hunger strikes are not legally permissible as a form of protest. There is no legal provision that supports hunger strikes, as they involve self-inflicted harm, which is contrary to public policy. The petitioner's grievances cannot be recognized or addressed through such a method. As the petitioner has been implicated as an accused in C.C.No.130 of 2024, he cannot be permitted to conduct his defense by resorting to a hunger strike. Personal grievances, including those related to legal proceedings, must be pursued through the proper legal channels and in a manner known to law. The proposed method of protest is neither lawful nor advisable, as it endangers the individual's health and well-being.

4. In view of the above, the petitioner is not entitled to the relief sought in the writ petition. Accordingly, the writ petition is dismissed. However, the petitioner is at liberty to pursue his remedy through appropriate legal proceedings in the manner known to law.

06.11.2024

Index: Yes/No
Speaking Order : Yes/No
Neutral Citation Case : Yes/No

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To
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P.VELMURUGAN, J.

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