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W.P.No.32222 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2024

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.32222 of 2024

Muthukumar

... Petitioner

Vs.

1.The State rep.by
The Deputy Superintendent of Police,
Kancheepuram Taluk,
Kancheepuram.

2.The Inspector of Police,
Vishnu Kanchi Police Station,
Kancheepuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the order passed by the second respondent bearing Na.Ka.En.31/Kaa.Aa/Pi2.Kaa.Ni/2024 dated 23.10.2024 which was served to the petitioner on 24.10.2024 at 9.00 a.m., and to quash the same as illegal and consequently, direct the respondents to grant permission to conduct one day hunger protest on 25.10.2024 or any other date preferably on 29.10.2024 at the Venue nearby Kancheepuram Kavalan Gate.



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For Petitioner : Mr.R.Thirumoorthy

For Respondents : Mr.S.Sugendran
Additional Public Prosecutor

ORDER

This Writ Petition has been filed to quash the order passed by the second respondent bearing Na.Ka.En.31/Kaa.Aa/Pi2.Kaa.Ni/2024 dated 23.10.2024, and for a consequential direction to the respondents to grant permission to conduct one day hunger protest.

2. The petitioner, who is the District Secretary of Centre of Indian Trade Unions (CITU) of Kancheepuram District, seeks permission to conduct one day hunger protest near the Kavalaan Gate, Kancheepuram on 25.10.2024 and he has given representation to the second respondent on 18.10.2024. The said request was rejected by the second respondent on 23.10.2024, citing traffic issues and disturbance to the public. However, in the very same place, several political parties had conducted meetings. Therefore, the petitioner is alleging bias, and has come before this Court seeking permission to conduct a hunger protest in the place, where the other political parties conducted the meetings.



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3. Learned Additional Public Prosecutor appearing for the respondents, on instructions, submitted that the petitioner can consider choosing the venue in front of Taluk Office, Nadu Street, Kancheepuram on 30.11.2024 between 10.00 a.m. and 1.00 p.m.

4. Learned counsel for the petitioner also accepted the said venue, date and time.

5. In the light of the above submissions, this Court is inclined to direct the respondents/Police to grant permission to the petitioner to conduct one day protest in the venue chosen in front of the Taluk Office on 30.11.2024 between 10.00 a.m. and 1.00 p.m. The petitioner is directed to conduct the protest in a peaceful manner without indulging in any unlawful activities and he should not initiate violence while conducting the protest and he should also co-operate with the Police to ensure that there is no law and order problem. Further, there should not be any defamatory statement against any political parties. The Organizers shall not erect any digital banners/pla-cards on either side of the arterial roads, platforms, walkways/major roads and any other roads. The jurisdictional Police shall take necessary action if there is any violation of



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law and order or create any law and order problem. Further, hunger protest is not permissible under law.

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

There shall be no order as to costs.

21.11.2024

Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No

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To

1. The Deputy Superintendent of Police,
Kancheepuram Taluk,
Kancheepuram.

2. The Inspector of Police,
Vishnu Kanchi Police Station,
Kancheepuram District.

3. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J
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