



WP(MD)No.637 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.01.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE SATHI KUMAR SUKUMARA KURUP**

W.P.(MD) No.637 of 2024

Kavitha

... Petitioner

/vs./

1.The Superintendent of Police,
Kanyakumari District.

2.The Inspector of Police,
Rajakamangalam Police Station,
Kanyakumari District.

3.The Sub Inspector of Police,
Ezthamozhy Police Station,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to grant permission for fasting on 26.01.2024 at Eathamozhy Junction, Kanyakumari District by considering the petitioner's representation dated 31.12.2023.



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For Petitioner : Mr.S.Ramasamy

For Respondents : Mr.T.Senthil Kumar

Additional Public Prosecutor

ORDER

This Writ Petition is filed to direct the Respondents to grant the permission for fasting on 26.01.2024 at Eathamozhy Junction, Kanyakumari District by considering the Petitioner's representation dated 31.12.2023.

2.The learned Counsel for the Petitioner submits that the Petitioner is the wife of one Suyambulingam, who is working as Driver in the Tamil Nadu State Transport Corporation at Kanyakumari. It is the grievance of the Petitioner that the members of the public are alleged to have attacked the Drivers of the Tamil Nadu State Transport Corporation, for which the Respondents failed to take action. Therefore, the wife of one of the Drivers, who suffered injuries, wants to sit in protest and go on hunger strike. Also, the Petitioner is very particular about holding such protest on 26.01.2024. Therefore, the learned Additional Public Prosecutor objects to grant the permission to the Petitioner.



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3.The learned Additional Public Prosecutor, on instructions, submitted that whenever the Drivers of the Tamil Nadu State Transport Corporation are attacked, the police have taken action, particularly in the instant case, an FIR had been registered in Crime No.208 of 2023 for the offence under Sections 341, 294(b), 323, 353 and 506(i) IPC and in another case, Rajakkamangalam Police had registered the FIR in Crime No.148 of 2023 dated 08.08.2023.

4.When the police action had been taken based on the complaints, filing of Writ Petition either by one of the affected Drivers or his wife seeking directions on the particular day, when the whole country is celebrating the Republic Day holding protest and hunger strike cannot be permitted.

Accordingly, this Writ Petition is dismissed. No costs.

11.01.2024

Index : Yes / No

Internet : Yes / No

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SATHI KUMAR SUKUMARA KURUP, J.

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