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W.P.(MD) No.6724 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.03.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

W.P.(MD) No.6724 of 2024

Sheik Dhivan Ali

... Petitioner

-vs-

- 1.The Deputy Inspector General of Police
Tirunelveli Range
Tirunelveli
- 2.The District Collector
Tenkasi, Tenkasi District
- 3.The Revenue Divisional Officer
Sankarankovil
Tenkasi District
- 4.The Superintendent of Police
Tenkasi, Tenkasi District
- 5.The Deputy Superintendent of Police
Sankarankovil
Tenkasi District



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6.The Inspector of Police
Sankarankovil Town Police Station
Tenkasi District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to take immediate action prohibiting the unlawful protest at Sankarankovil Town, Tenkasi District and ensure the public free movement in Sankarankovil Town, Tenkasi District, by taking stringent action as against the offenders.

For Petitioner : Mr.R.J.Karthick

For Respondents : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.P.Thilakkumar
Government Pleader for R1 to R3
Mr.S.S.Madhavan
Government Advocate (Crl.Side) for R4 to R6

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

Prayer in this writ petition is to direct the respondents to take immediate action prohibiting the unlawful protest at Sankarankovil Town, Tenkasi District and ensure public free movement in Sankarankovil Town, Tenkasi District, by taking stringent action as against the offenders.



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2. According to the petitioner, on 08.03.2024, a private van driver, namely, Murugan died in a suspicious manner. The relatives and the villagers of the deceased person refused to receive the dead body by stating that the death was on account of assault by the police and from 09.03.2024, they started agitations against the respondents. Persons from various parts of the State also assembled in the protest area along with their communal leaders. The said protest causes grave hardship to the general public and even ambulance vehicles cannot pass through the protest area. Though the petitioner gave a representation dated 16.03.2024 to the respondents, no action was taken based on the said representation. Hence, this writ petition.

3. Today, when the matter was taken up for hearing, learned Additional Advocate General appearing for the respondents 1 to 3 produced the status report, dated Nil. March, 2024, filed by the Deputy Superintendent of Police / fifth respondent before this Court, wherein in Paragraph No.7, it is stated as follows:

“7.I humbly submit that Police pickets are posted at North Pudur Village, Gandhi Nagar, Sankarankovil Town area, Assembly Junction, Theradi Thidal to



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prevent any such gathering of unlawful assembly under the Supervision of the Additional Superintendent of Police, Head Quarters. Furthermore, Separate Traffic Diversion Bandhobust with 25 Traffic Police Constables are deployed round the clock to ensure free movement of vehicles in Sankarankovil town area. Regular beat movement are also ensured in the town area to prevent any Law and Order situation. The situation is now calm and under close watch and we are ensuring peace and free flow of traffic in the area.”

4. Learned Additional Advocate General submits that as stated by the seventh respondent, now the situation in the locality is regulated and there is free flow of vehicles without causing any unlawful assembly in the said place. Therefore, recording the said status report, this writ petition may be disposed of.

5. Learned counsel for the petitioner has not objected the above submission of the learned Additional Advocate General. However, he seeks liberty to the petitioner to approach this Court incase any such unlawful protest is conducted causing hardship to the general public in the subject place.



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6. Recording the above status report, this writ petition is disposed with liberty as prayed for by the learned counsel for the petitioner. However, the respondents 4 and 5 are directed to regulate the traffic and ensure free flow of traffic in the subject place. No costs.

[D.K.K., J.]

[R.V., J.]

21.03.2024

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

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To:

- 1.The Deputy Inspector General of Police,
Tirunelveli Range,
Tirunelveli.
- 2.The District Collector,
Tenkasi, Tenkasi District.
- 3.The Revenue Divisional Officer,
Sankarankovil,
Tenkasi District.
- 4.The Superintendent of Police,
Tenkasi, Tenkasi District.



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- 5.The Deputy Superintendent of Police,
Sankarankovil,
Tenkasi District.
- 6.The Inspector of Police,
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and
R.VIJAYAKUMAR, J.

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