



W.P(MD)No.13172 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 20.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.13172 of 2024 and
WMP(MD) No.11667 of 2024

M.Rajaram

... Petitioner

Vs

1.The Deputy Superintendent of Police,
Ambasamudiram,
Tirunelveli District.

2.The Sub Inspector of Police,
Vickramasingapuram Police Station,
Vickramasingapuram,
Tirunelveli District.

...Respondents

PRAYER :Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed in Na.Ka.No.07/Se.Mu.aa/Ka/thu.Ka/2024, dated 17.06.2024 issued by the first respondent and quash the same and consequently directing the respondents to permit the petitioner Association to hold hunger strike on 19.06.2024 at Car Street, Vikramasingapuram, Tirunelveli District.

For Petitioner : Mr.S.Muthukumar

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



W.P(MD)No.13172 of 2024

ORDER

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The petitioner, with a grievance that his representation seeking permission for conducting hunger strike has been rejected by the respondents, has approached this Court.

2. According to the petitioner, he is one of the Organizers of “Agathiyar Aruvi Meetpu Kuzhu”. In the recent past, the Forest Department has erected a Check post in Agathiyar Foot Hill and collected entry fee from the travellers and the local people. In order to address the grievance in respect of free access to holy places situated at Agathiyar Hill, the petitioner Association sought permission to conduct a hunger strike on 19.06.2024. However, the same was rejected by the respondents by order dated 17.06.2024. Challenging the same, the petitioner is before this Court.

3. Today(20.06.2024), when this writ petition is taken up for admission, Mr.E.Antony Sahaya Prabahar, learned Additional Public Prosecutor takes notice for the respondents and submits that the subject area is pertaining to the Forest Department and without



W.P(MD)No.13172 of 2024

obtaining proper permission from the Forest Department, permission cannot be granted to the petitioner.

4.This Court has considered the rival submissions made.

5.Hunger strike is one of the non-violent method of protest. The respondents are not supposed to reject the application of the petitioner, who sought permission for hunger strike, merely on flimsy grounds.

6.In view of the above, this Writ Petition is allowed. The order impugned in this writ petition is set aside. The respondents shall grant permission to the petitioner for conducting hunger strike within a period of two weeks from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

20.06.2024

NCC : Yes / No.

Index : Yes / No.



W.P(MD)No.13172 of 2024

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To

- 1.The Deputy Superintendent of Police,
Ambasamudiram,
Tirunelveli District.
- 2.The Sub Inspector of Police,
Vickramasingapuram Police Station,
Vickramasingapuram,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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W.P(MD)No.13172 of 2024

B.PUGALENDHI, J.

vrn

Order made in
W.P(MD)No.13172 of 2024 and
WMP(MD) No.11667 of 2024

20.06.2024