



WP CRL.(MD). No.2533 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 11/12/2025

CORAM

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

WP CRL.(MD). No.2533 of 2025
and
WMP CRL(MD)Nos.588 & 590 of 2025

R.Prabhu

... Petitioner

Vs

1. The Commissioner of Police,
Commissioner Officer,
Madurai District.
2. The Assistant Commissioner,
Assistant Commissioner Office,
Madurai.
3. The Inspector of Police,
Law and Order Section,
Thirupparankundram Police Station,
Madurai District.

... Respondents

PRAYER :-

To issue a Writ of Certiorarified Mandamus, to call for the records of the second respondent in his proceedings in Na.Ka.No. 188/முகாம்/கா.உ.ஆ/திபகு/2025 dated 08.12.2025 and quash the same as non-application of mind and in violation of the fundamental right



WP CRL.(MD). No.2533 of 2025

guaranteed to the citizens under the Constitution of India and consequently direct the respondents to accord permission for the peaceful fasting to be under taken by the public of Thiruparankundram area on 13.12.2025 for lighting the Deepam at the lower peak of the hillock (Deepathoon) at Thiruparankundram based on the petitioner's application dated 06.12.2025 and 09.12.2025.

For Petitioner : Mr.Anandha Padmanaban. Senior Counsel
for Mr.H.Velavadhas

For Respondents : Mr.Veera Kathiravan
Additional Advocate General
Assisted by
Mr.A.S.Abul Kalam Azad,
Government Advocate (Crl.Side)

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to quash the impugned order dated 08.12.2025 and consequently to direct the respondents to grant permission for the peaceful fasting to be undertaken by the public of Thiruparankundram area on 13.12.2025 for lighting the Deepam at the lower peak of the hillock (Deepathoon) at Thiruparankundram, based on the petitioner's



WP CRL.(MD). No.2533 of 2025

application dated 06.12.2025 and 09.12.2025.

WEB COPY

2. This Court not considering the prayer for lighting the Deepam at the lower peak of the hillock (Deepathoon) at Thiruparankundram, since the issue is already considered by another learned Single Judge and the issue is pending before the Honourable Division Bench.

3. The learned Additional Advocate General appearing for the respondents vehemently objected and stated that the entire matter is pending and is listed for further hearing before the Honourable Division Bench. He further submitted that, in an earlier order, a group of people had sought permission to conduct a demonstration, and the Honourable Division Bench, after considering the issue, did not permit any demonstration in Thiruparankundram and further imposed restrictions.

4. However, in the present case, the petitioner seeks to conduct a hunger strike alone. A hunger strike is a form of expression protected as a Fundamental Right under the Constitution, and therefore the same cannot be declined.

5. The next apprehension raised by the respondents is that there



WP CRL.(MD). No.2533 of 2025

may be further request to conduct other agitations. The said contention cannot be accepted, as no application has been submitted before the authorities for any other agitations. Even if such applications were made, the respondents may regulate the event but cannot bar from conducting protest. Hence, the said contention is rejected.

6. Considering the above facts and circumstances of the case, this Court is inclined to quash the rejection order dated 08.12.2025 passed by the second respondent and directing the respondents to grant permission to the petitioner, subject to the following conditions:

(i) Only 50 members shall be permitted to participate in the hunger strike on 13.12.2025, from 9:00 a.m. to 5:00 p.m.

(ii) No slogans are permitted. They can utter only mantras.

(iii) The entire proceedings shall be videographed. No provocative slogans against any person or group shall be permitted. Only one microphone is allowed.



WP CRL.(MD). No.2533 of 2025

(iv)Both the petitioner and the respondents shall not

WEB COPY

give any political colour to the present hunger strike.

7. Accordingly, this Writ Petition is allowed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

11.12.2025

jbr

Note: Issue order copy on 11.12.2025.

To

1. The Commissioner of Police,
Commissioner Officer,
Madurai District.
2. The Assistant Commissioner,
Assistant Commissioner Office,
Madurai.
3. The Inspector of Police,
Law and Order Section,
Thirupparankundram Police Station,
Madurai District.

5/6



WEB COPY



WP CRL.(MD). No.2533 of 2025

S.SRIMATHY,J

jbr

ORDER
IN
WP CRL.(MD) No.2533 of 2025

Date : 11/12/2025