



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-02-2026

CORAM

THE HON'BLE MR JUSTICE A.D.JAGADISH CHANDIRA

WP CrI. No. 1541 of 2025

J.Wajid
S/o.Jani Basha,
No.34, Muslim Vattam,
Palrang Kuppam,
Karupanur,
Tirupathur - 635 602.

..Petitioner(s)

Vs

1. The District Collector,
O/o.Thirupathur District Collectorate Office,
Thirupathur-635 601.
2. The Superintendent of Police,
Thirupathur,
Thirupathur District.
3. The Inspector of Police,
Thirupathur Town Police Station,
Thirupathur.

..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Certiorarified Mandamus, to call for the entire records in rejection order dated 05.11.2025 vide Na.Ka.No.12/Ti.Na.Ka/Ti 2025 on the file of 3rd respondent quash the same and consequently direct the respondents to permit and to observe hunger strike in (I) Before Collectorate, (ii) Jinna Road, (iii).Arasamaram Auto Stand Rountana, Thirupathur.

For Petitioner(s): Mr.V.Kasiviswanathan

For Respondent(s): Mr.K.M.D.Muhilan
ddl.Public Prosecutor



ORDER

This petition has been filed challenging the rejection order dated 05.11.2025 vide Na.Ka.No.12/Ti.Na.Ka/Ti 2025 on the file of the 3rd respondent and to consequently direct the respondents to permit the petitioner to observe hunger strike before (i) Collectorate, (ii) Jinna Road and (iii).Arasamaram Auto Stand Rountana, Thirupathur.

2. On 17.02.2026, this Court passed the following order:

“2. It is the case of the petitioner that there are 24 Masjids in and around Thirupathur district and that all the Masjids are maintained by the Muthavallis, who are appointed by the Vellore Waqf Board. Some of the Muthavallis have misused the income of the Masjids for their personal use. In order to create awareness of the said misuse of the Masjids’ income by certain Muthavallis, the petitioner and others intend to conduct a one day hunger strike. Therefore, he, as the Chairman and Managing Trustee of a registered organization named “People First New Roundation NGO” and as a social worker, had sent a representation to the authorities concerned seeking permission to conduct the hunger strike. However, the said request was rejected vide order dated 05.11.2025. Challenging the same, the present petition has been filed.

3. Learned counsel appearing for the petitioner submitted that the representation of the petitioner was rejected by the third respondent police stating that the prohibitory orders are in force under Section 30(2) of the Police Act, 1861; that there is no notified and designated place permitted to conduct protests; that the places where the petitioner sought permission are the areas of heavy public movement and substantial traffic congestion and that there is a likelihood of law and order problem. He further submitted that while the petitioner’s request has been rejected, several other organizations were granted



permission to conduct meetings in the same places. Therefore, the order passed by the third respondent refusing permission is discriminatory in nature. He also submitted that the petitioner is ready to comply with any condition that may be imposed by this Court as well as by the respondent Police. Hence, he prayed to set aside the impugned order dated 05.11.2025.

4. Mr.K.M.D.Muhilan, learned Additional Public Prosecutor, who takes notice on behalf of the respondents, seeks time to get instructions.

5. Post on 18.02.2026.”

3. When this matter was listed on 17.02.2026, at the request of Mr.K.M.D.Muhilan, learned Additional Public Prosecutor, to get instructions, this matter is listed today.

4. The learned Additional Public Prosecutor would submit that the places where the petitioner has requested to permit him to conduct hunger strike, are predominantly populated by persons belonging to his rival group and hence, apprehending that it may cause law and order issues, the third respondent has rejected the petitioner’s application by the order impugned. However, the respondents have no objection in the petitioner conducting the hunger strike at Teachers’ Colony, which is about 1 ½ kilometers away from the places opted by the petitioner. He would further submit that a Division Bench of this Court, in the case of **Rama Muthuramalingam vs. DSP of Police, Mannargudi [2004 (5) CTC 554]**, has held that if the administrative authorities feel that it may



create law and order problem, then, they may prohibit such activities. He reiterated that only apprehending law and order issues, the third respondent rejected the petitioner's application. He would further submit that the petitioner's grievance has been addressed by the State Minorities Commission and the Wakf Board and in the event of the petitioner agreeing to conduct hunger strike at Teachers' Colony, the respondents are ready to accord permission.

5. Heard both sides and perused the materials available on record.

6. Though is the contention of the petitioner that several other organisations have been allowed to conduct meetings before Collectorate, Jinna Road and Arasamaram Auto Stand Rountana, Thirupathur, it is the apprehension of the respondents that the places where the petitioner has sought permission are where the persons belonging to the petitioner's rival group are living and only apprehending law and order issues, the third respondent has rejected the petitioner's request. At the same time, it is to be noted that the third respondent has also expressed that the respondents have no objection in the petitioner conducting hunger strike at Teachers' Colony. It is also the case of the respondents that the petitioner's grievance has been forwarded to the Minorities Commission as well as the State Wakf Board.



7. In **Rama Muthuramalingam**, *supra*, the Division Bench of this Court has held that public order is a matter within the domain of the State Legislature and the State Executive and that being so, it is not proper for the judiciary to interfere in matters relating to public order, unless there is violation of some Constitutional or statutory provision. Further, though the third respondent has rejected the petitioner's request for conducting hunger strike in three places chosen by him, as submitted by the learned Additional Public Prosecutor, the respondents have no objection in the petitioner conducting hunger strike at the alternative place, *viz.*, Teachers' Colony and they are also willing to grant permission for the same.

8. In view of the above position, this Court does not find any infirmity in the impugned order passed by the third respondent rejecting the petitioner's application. Accordingly, this writ petition (criminal) stands dismissed. However, it is made clear that in the event of the petitioner willing to conduct hunger strike at Teachers' Colony, the third respondent shall accord permission, subject to imposition of reasonable conditions. There shall be no order as to costs.

18-02-2026

Neutral Citation: Yes/No
DN



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A.D. JAGADISH CHANDIRA, J.

dn/cad

To

1. The District Collector,
O/o.Thirupathur District Collectorate Office,
Thirupathur-635 601.
2. The Superintendent of Police,
Thirupathur,Thirupathur District.
3. The Inspector of Police,
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