



W.P. No.28807 of 2022

W.P. No.28807 of 2022
and

W.M.P. Nos.28088 and 28091 of 2022

WEB COPY

PARESH UPADHYAY, J.
and
D.BHARTHA CHAKRAVARTHY, J.

(Order of the Court was made by PARESH UPADHYAY, J.)

1. This writ petition (Public Interest Litigation) was mentioned for urgent circulation today, which was permitted.

2. The prayer clause of this petition reads as under:-

"It is therefore prayed that this Hon'ble court may be pleased to issue Writ of Declaration or any other appropriate Writ, Order or Direction in the nature of Writ to declare the calling of Bandh/ Strike by the 5th respondent political party and its functionaries and office bearers to be held on 31.10.2022 or any other date in the Coimbatore District as illegal, unconstitutional and grossly in violation of dictum laid down by Hon'ble Supreme Court of India in James Martin Vs. State of Kerala 2004(2) SCC 203 and consequently



WEB COPY



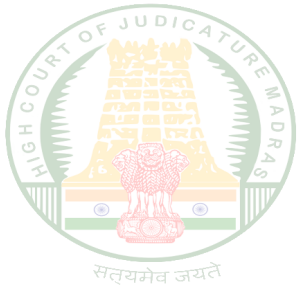
W.P. No.28807 of 2022

direct the 1st and 2nd respondents to take appropriate preventive measures to stop calling of Bandh/ Strike by any political party or organisation and pass such other order as this Hon'ble Court may deem fit to the proper facts and circumstances of the case and thus render justice."

3. Heard Mr.V.Prakash, learned senior advocate for the petitioner, Mr.J.Ravindran, learned Additional Advocate General for respondents 1 and 2, Mr.S.Rajakumar, learned Additional Public Prosecutor for respondents 3 and 4 and Mr.R.C.Paul Kanagaraj, learned advocate for the fifth respondent.

4. Mr.R.C.Paul Kanagaraj, learned advocate for the fifth respondent states that, no call, as projected on behalf of the petitioner, is given by the fifth respondent.

5. Learned Additional Advocate General states that, no direction needs to be issued to the State, regarding discharge of its obligation for maintaining law and order in the State.



W.P. No.28807 of 2022

6. During the course of hearing some question of law is pressed into service on behalf of the petitioner, which can be gone into separately, however in view of what is noted in paras 4 and 5 above, no interim order needs to be passed.

7. List for further consideration on 01.11.2022. Pleadings be completed by that day. No interim order needs to be passed.

(P.U., J) (D.B.C., J)
28.10.2022

Index:Yes
mmi/1-L2



WEB COPY



W.P. No.28807 of 2022

PARESH UPADHYAY, J.
and
D.BHARATHA CHAKRAVARTHY, J.

mmi

W.P.No.28807 of 2022

28.10.2022