



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-07-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

WP CrI. No. 1588 of 2026

Muthu Krishnan Thangaiya
S/o.Thangaiya,
No.953, Publik Road,
Nagore(Kottagam),
Nagapattinam - 611 002.

..Petitioner(s)

Vs

1. The Superintendent of Police
Nagapattinam District,
Nagapattinam - 611001.
2. The Inspector of Police
Nagore Police Station,
Nagore (Kottagam),
Nagapattinam - 611 002.

..Respondent(s)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari Mandamus to call for the records in Na.Ka.No.24/B3 PS/NGT/2026 dated 22.06.2026 on the file of the 2nd Respondent and to set aside the same and to permit petitioner to celebrate the petitioners wife Thangams 31th death Anniversary on 03.07.2026 or any other short date in this month of July 2026 and may also be please to pass any other writ are direction as deem fit and proper in the circumstances of this Case.

For Petitioner(s): Mr.G.Krishnamurthy

For Respondent(s): Mr.R.Ganesh Kumar



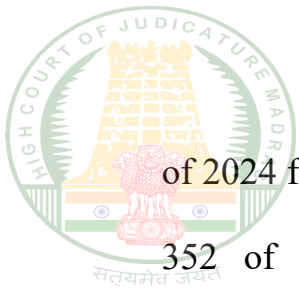
ORDER

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This petition has been filed to call for the records in Na.Ka.No.24/B3 PS/NGT/2026 dated 22.06.2026 on the file of the 2nd Respondent and to set aside the same and to permit petitioner to celebrate the petitioners wife Thangams 31th death Anniversary on 03.07.2026 or any other short date in this month of July 2026.

2. The petitioner's wife died in a parcel bomb blast sent by the extremist. In this connection, it is stated that, for the past 30 years, the death anniversary been conducted. While that being so, the petitioner submitted a representation dated 06.05.2026, but the 2nd respondent without enquiry or calling any explanation passed rejection order on 22.06.2026 and the same was served to the petitioner on 23.06.2026. Hence, the petitioner seeks intervention of this Court on the ground that the fundamental rights of the petitioner have been deprived by the respondent police citing untenable reasons.

3. Learned Government Counsel on instructions would submit that even in the year 2023 to 2024, the star speaker of the meeting had made some derogative remarks against a particular region. Therefore, the respondent police registered the case in Crime No.313 of 2023 for the offences punishable under Sections 153-A(1)(a), 295A, 189, 506(2) and 505(2) of IPC and Crime No.266



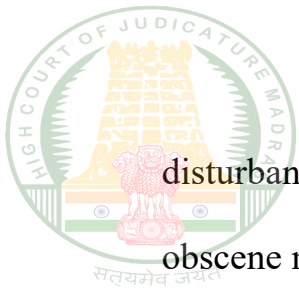
of 2024 for the offences punishable under Sections 196, 299, 353(1), 353(2) and 352 of BNS. Therefore, the respondent police apprehended that if the permission is granted it will cause law and order problem and also create religious dispute and hence, the 2nd respondent police passed the rejection order.

4. The learned counsel appearing for the petitioner would undertake that the annual meeting commemorating the death anniversary of the petitioner's wife Thangam would be conducted without causing any disturbance of the public peace and without creating hatred feeling among the public. If any condition is now imposed, the petitioner undertakes to abide by the same.

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

6. As per Article 19 of the Constitution of India, though every citizen had got a right to express hi/her views, the said right/freedom is not absolute and it is subject to reasonable restrictions in the interest of the State, public order and other relevant factors.

7. Taking into considerations the facts and circumstances and also considering the objections raised by the respondent police, this Court permits the petitioner herein to conduct silent rally and public meeting on 26.07.2026 and the petitioner is directed to given an undertaking that they will not cause



disturbance to the public peace, no criminal activities will be provoked, no obscene messages will be uttered during procession and also they will not create any law and order problem to the public peace. The respondent police shall provide adequate protection for the meeting and rally with reasonable restrictions and also impose reasonable conditions for procession to be conducted on 26.07.2026. If there is any breach of undertaking given by the petitioner, 2nd respondent is directed to take necessary action in accordance with law against the petitioner.

8. With the above directions, this Writ Petition is disposed of. No costs.

08-07-2026

SMA

To

1. The Superintendent of Police
Nagapattinam District,
Nagapattinam - 611001.
2. The Inspector of Police
Nagore Police Station,
Nagore (Kottagam),
Nagapattinam - 611 002.
3. The Public Prosecutor,
Madras High Court.



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WP CrI. No. 1588 of 2



G.K.ILANTHIRAIYAN, J.

SMA

WP CrI. No. 1588 of 2026

08-07-2026