



WP CRL.(MD). No.4452 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 06/08/2026

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THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

WP CRL.(MD). No.4452 of 2026

P. Arulsiva

... Petitioner

Vs

1. The Superintendent of Police,
Kanniyakumari District, Nagercoil.

2. The Inspector of Police,
Anjuramam Police Station,
Kanniyakumari District.

... Respondents

PRAYER :-

To issue a Writ of Mandamus or any other Writ, order or direction in the nature of writ, to direct the respondents to give permission and police protection to conduct protest as against the erring district administrative officials on 10.08.2026 at about 5.00 pm at Alagiya Vinayagar Temple ground based on the petitioner's representation dated 23.07.2026.

For Petitioner : Mr. K.Sathish Kumar,
Advocate.

For Respondent : Mr.D.Rajaboopathy
Government Advocate (Crl.Side)



WP CRL.(MD). No.4452 of 2026

ORDER

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This Writ Petition is filed seeking to issue a Writ of Mandamus to direct the respondents to give permission and police protection to conduct protest as against the erring district administrative officials on 10.08.2026 at about 5.00 pm at Alagiya Vinayagar Temple ground based on the petitioner's representation dated 23.07.2026.

2. The learned counsel appearing for the petitioner submitted that the petitioner, along with the residents of his village, proposed to conduct a protest as against the erring district administrative officials on 10.08.2026 at about 5.00 pm at Alagiya Vinayagar Temple ground. In this regard, he has given representation dated 23.07.2026, to the respondent police. Since the same was not considered, this Writ Petition came to be filed.

3. The learned Government Advocate appearing for the respondents submitted that the petitioner's representation has been received and the same will be considered.



WP CRL.(MD). No.4452 of 2026

4. The learned counsel for the petitioners contended that the protest would be conducted peacefully and constitutes a legitimate form of protest protected under Article 19(1)(a) read with Article 19(1)(b) of the Constitution of India. It was further submitted that, in a democratic polity, citizens have the right to peacefully express their grievances through a protest, and such an expression cannot be curtailed or criminalised, unless it poses a genuine threat to public order or falls within the reasonable restrictions contemplated under Article 19(2) and Article 19(3) of the Constitution of India.

5. Articles 19(1)(a) and 19(1)(b) of the Constitution guarantee freedom of speech and expression, and the right to peaceful assembly without arms. These rights can be restricted only by reasonable restrictions provided by law. The Hon'ble Supreme Court has consistently held that peaceful protest is a recognized democratic right.

6. In view of the foregoing observations, the second respondent is directed to consider the petitioner's representation dated 23.07.2026 and facilitate the petitioner to conduct protest on **10.08.2026** at about **5.00 pm** at Alagiya Vinayagar Temple ground, subject to the petitioner strictly



WP CRL.(MD). No.4452 of 2026

adhering to the conditions imposed by the respondent police and ensuring that the protest is conducted peacefully without causing any disturbance to public order.

7. Accordingly, this writ petition stands allowed.

06.08.2026

NCC : yes / no

Index : yes / no

Note : Issue order copy on **07.08.2026**

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To

1. The Superintendent of Police,
Kanniyakumari District, Nagercoil.
2. The Inspector of Police, Anjuramam Police Station,
Kanniyakumari District
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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WP CRL.(MD). No.4452 of 2026

L. VICTORIA GOWRI, J.

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ORDER
IN
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Date : 06/08/2026