

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2015

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE T.S.SIVAGNANAM

W.P.No.34254 of 2014
and
M.P.No.1 of 2014

A.P.Suryaprakasam

... Petitioner

-vs-

1. The Home Secretary to Government,
Government of Tamilnadu,
Fort St. George,
Chennai-600 009.

2. The Commissioner of Police,
O/o The Commissioner of Police,
Egmore,
Chennai-600 009.

... Respondents

Petition under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents not to grant permission to conduct any sort of protest activities in front or near the vicinity of the political parties offices in Tamailnadu to enable the opposition political parties to discharge their democratic duties and expression of their own thoughts and beliefs according to their own understanding of their political ideology without any hindrance.

For Petitioner : Mr.A.P.Suryaprakasam
Party-in-person

For Respondents : Mr.STS.Moorthy
Government Pleader for R1 & 2

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The present Public Interest Litigation really seeks to inculcate a social behaviour, which is difficult through the process of judicial pronouncements. It is easier to change the law than behaviour. The very concept of holding demonstrations propounding or

rejecting a political and social philosophy would be questionable, especially when it is outside the residence of some people or in busy traffic areas, it causes great inconvenience to the public at large in their movements, which is in any case is a nuisance, considering the traffic position in Chennai. It also infringes the rights of the family members of the person concerned to live peacefully in their own house.

2. One would expect that the police authorities would take immediate action where the residences of people are involved or traffic is obstructed. Right to protest cannot include right to cause nuisance or harassment of the public at large.

3. We really cannot have anything more to say than this and expect the police authorities to perform their duties.

4. The writ petition, accordingly, stands disposed of. No costs. Consequently, M.P.No.1 of 2014 is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

bbr

To

1. The Home Secretary to Government,
Government of Tamilnadu,
Fort St. George,
Chennai-600 009.

2. The Commissioner of Police,
O/o The Commissioner of Police,
Egmore,
Chennai-600 009.

+1cc to Mr.N.Santhosh Nagarajan, Advocate, S.R.No.33253
+1cc to the Government Pleader, S.R.No.32920

W.P.No.34254 of 2014

KSJ(CO)
CA(09/07/2015)