

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.12553 of 2016

ORDER:

The prayer of the petitioner in this case is as under:

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue a Writ, Order or direction more particularly one in the nature of Mandamus, declaring the action of the 4th respondent in not permitting the petitioner to organize the procession on the eve of Sri Rama Navami Festival on 15.04.2016 from 4.00 pm onwards from Devarakonda Temple in Nirmal Town, Adilabad District by providing police Bandobasth inspite of submitting the representation dt. 05.04.2016 and 12.04.2016 is illegal, arbitrary and consequently direct the respondents to provide police bandobasth by granting permission for the procession organized by the petitioner on 15.04.2016 from 4.00 pm onwards from Devarakota Temple in Nirmal Town, Adilabad District on the eve of Srirama Navami Festival and to pass such other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

Though the learned Assistant Government Pleader for Home would state that the area in which the procession is sought to be taken out is sensitive in nature, it is not open to the police authorities to baldly refuse permission for holding a religious procession as such a right is not only recognized under Article 19 but would also have to be read into Article 25 of the Constitution.

The writ petition is accordingly disposed of directing the respondent police authorities to consider the petitioner's application for permission to organize a procession on 15.04.2016 in accordance with law and upon analyzing the prevailing law and order situation in Nirmal Town. This exercise shall be undertaken by the police authorities duly keeping in mind the law laid down by this Court in **Madiga Reservation of Porata Samithi,**

**Hyderabad v. Commissioner of Police^[1] and Yuvajana
Sramika Rythu Congress Party, Hyderabad v. Government of
Andhra Pradesh^[2]** and the result thereof shall be intimated to
the petitioner at the very latest by 4.00 p.m. on 14.03.2016.

Pending miscellaneous petitions, if any, shall stand closed
in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

Date:13.04.2016

Note:-

Issue CC today.

B/o

PGS

^[1] 1999 (3) ALD 220

^[2] 2014 (1) ALD 259