

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.7600 of 2016

ORDER:

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

“For the reasons stated in the accompanying affidavit, the petitioners pray that the Hon'ble Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in not considering the representation of the petitioner dt.06.03.2016 for conducting Radha Yatra commencing from dt.10.03.2016 to 30.04.2016 at Vijayawada (covering 13 District of Andhra Pradesh) as illegal, arbitrary and in violation of 21 of the Constitution of India and consequently direct the 2nd respondent to grant permission for conducting Ratha Yatra commencing from dt.10.03.2016 Naravaripalle to 30.04.2016 ending at Vijayawada (covering 13 District of Andhra Pradesh) and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

Learned Government Pleader for Home, having received written instructions dated 09.02.2016 from the Assistant Inspector General of Police, Law & Order, Office of the Director General of Police, Andhra Pradesh, Hyderabad, stated that the petitioner's application seeking permission was received by the office of the Director General of Police on 08.03.2016 and the same was endorsed to all the District Superintendents of Police and Commissioners of Police on 09.03.2016 for taking further necessary action at their end.

Sri S. Satyam Reddy, learned Senior Counsel, would however state that the representation in this regard was received on 06.03.2016, as is evidenced by the stamp affixed on the copy filed in the writ petition.

Be that as it may, as the petitioner's representation has already been received by the police authorities and has also been forwarded to all the concerned Unit Heads in the Districts, it is for them to take appropriate action in the matter. The programme schedule of the proposed Ratha Yatra indicates that it is to commence tomorrow in

Chittoor District and enter into Anantapur District on 11.03.2016. Thereafter, the Ratha Yatra is scheduled to proceed from District to District in the State of Andhra Pradesh and culminate at Krishna District where a congregation is proposed to be held on 30.04.2016.

In that view of the matter, it is for the District Superintendents in each of the Districts in the State of Andhra Pradesh to assess the situation and take a call in the matter as and when the Ratha Yatra would enter into their District. As the Ratha Yatra is scheduled to commence tomorrow and enter into Anantapur on 11.03.2016, the Superintendents of Police of Chittoor and Anantapur Districts would necessarily have to act in the matter immediately.

The writ petition is accordingly disposed of directing all the District Superintendents of Police/Commissioners of Police or the authorities concerned, as the case may be, to take note of the schedule of the proposed Ratha Yatra and take a decision as to permitting the same in the light of the law and order situation prevailing. The District Superintendents of Police, Chittoor and Anantapur Districts, shall forthwith take a decision in the matter as the Ratha Yatra would first commence in their districts. Further, the petitioner shall apply to the Commissioner of Police, Vijayawada City, for the purpose of holding a congregation on 30.04.2016 and such application shall be considered in accordance with law and the prevailing law and order situation as on that date.

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

JUSTICE SANJAY KUMAR

09.03.2016.

Note:-

Issue CC today.

B/o

PGS