



W.P.No.9159 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P. No.9159 of 2023

Bharath Hindu Munnani – Tamil Nadu
Rep by its Managing Trustee Mr.R.D.Prabhu
No.3/14, Kulanthai Street, Choolai,
Chennai – 600 112.

... Petitioner

Vs.

The Commissioner of Police,
Greater Chennai,
E.V.K.Sampath Road,
Vepery,
Chennai – 600 007.

...Respondent

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Mandamus, directing the respondent grant permission to permit the petitioner to conduct procession with Lord Rama portrait in TATA AC vehicle on 30.03.2023 at about 3 p.m through route mentioned in petitioner's representation dated 28.02.2023.

For Petitioner : Mr.G.S.Dhanalakshmi

For Respondent : Mr.S.Santhosh
Government Advocate (Crl.Side)



W.P.No.9159 of 2023

WEB COPY

ORDER

The Writ Petition has been filed to direct the respondent to grant permission to the petitioner to conduct procession with Lord Rama portrait in TATA AC vehicle on 30.03.2023 at about 3 p.m through route mentioned in petitioner's representation dated 28.02.2023..

2.It is the submission of learned counsel for the petitioner that petitioner is the President of Bharath Hindu Munnani. This Trust was running for the past 9 years doing charitable activities for empowerment of downtrodden people. On 28.03.2015, the petitioner/Trust conducted procession joining hands with Sriram Sena. In order to preach Lord Rama way of life, it is planned to take procession of Lord Rama's 5 feet portrait in TATA AC vehicle with 50 Devotees on Ramanavami day i.e. on 30.03.2023 through Krishna Temple, coral merchant street, Manady street, Thambu Chetty street, Erabalu Chetty street, Prakasam street, NSC Bose Road, Waltax Road, Basin Bridge, Dimless Road and ends at Anjineyar temple, Angalamman koil street, Padalam. On the way participating devotees would serve pamphlets to General Public about Lord Rama preaching's and his



W.P.No.9159 of 2023

portrait. Procession sought permission through its representation dated 28.02.2023, so far no orders passed. Therefore, this petition.

3.The learned Government Advocate (Criminal side) submitted that respondent sent 17 questions to be answered by the petitioner. Accordingly, they received the answers. It is claimed by the petitioner that in 2015 and 2016, they conducted similar procession with the permission of Commissioner of Police, Chennai. However, no order granting permission or connected records had been furnished as claimed by them. Thus, the answers given to the questioners are not satisfactory.

4.He further submitted that the route chosen for the procession, that is, Manady street, Thambu Chetty street, Erabalu Chetty street, Prakasam street, NSC Bose Road, Waltax Road, Basin Bridge, Dimless Road is always flooded with heavy traffic and public movement. If permission is granted to the petitioner to take procession in this route, it would certainly cause problem to public and the traffic. He further submitted that there is the office of Tamil Nadu Tavhith Jamath, Haj Committee in the proposed procession route. Persons belonging to Muslim and Christian religion residing in



W.P.No.9159 of 2023

Angappan steet, Thambu Chetty street, second line beach road. Muslim community persons are running business shops. If the procession is permitted, there is possibility of causing communal dis-harmony and violence. Therefore, he submitted that the petitioner's representation was rejected. Thus, he prayed for dismissal of this petition.

5.Considered the submission of learned counsel appearing for the parties.

6.Though, it is claimed by the petitioner that they were earlier given permission by Commissioner of Police in 2015 and 2016 for conducting procession, it appears that order granting permission or other connected papers are not produced. Therefore, the submission of the petitioner, in this regard, it appears, is not true. This Court also finds that the reason given in the rejection order that the procession route is a heavily populated traffic congested area and that persons belonging to Christian and Muslim are residing and carrying on business operation. Therefore, the rejection order passed for conducting the procession in this route cannot be found fault with. Therefore, this Court directs the petitioner to give a fresh



W.P.No.9159 of 2023

representation giving different alternative route for taking processions and on such giving of representation, the respondent is directed to pass appropriate orders immediately in the manner known to law.

7. With the above direction, this Writ Petition is disposed of. No costs.

29.03.2023

ep
Index :Yes/No
Internet:Yes/No



WEB COPY



W.P.No.9159 of 2023

G.CHANDRASEKHARAN, J.

ep

To

The Commissioner of Police,
Greater Chennai,
E.V.K.Sampath Road,
Vepery,
Chennai – 600 007.

W.P. No.9159 of 2023



WEB COPY



W.P.No.9159 of 2023

29.03.2023