



W.P.No.36192 of 2023 & W.M.P.No.36175 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

Dated: 22.12.2023

Coram:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN**

W.P.No.36192 of 2023  
& W.M.P.No.36175 of 2023

Mr.S.Raja Mohamed

... Petitioner

**/versus/**

1. The State of Tamil Nadu,  
Rep. By its Secretary, Home Department,  
Fort St.George, Chennai – 600 009.
2. The Director General of Police,  
Dr.Radhakrishnan Salai, Mylapore,  
Chennai – 600 004.
3. The Superintendent of Police,  
Nagapattinam District.  
Nagapattinam.
4. The Inspector of Police,  
Nagore Police Station,  
Nagapattinam.

... Respondents

**Prayer:** Writ Petition is filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus calling for the records relating the impugned order of the 5<sup>th</sup> respondent vide Na.Ka.No.24/Nagai/Nagore/2023 dated 11.12.2023 and quash the same as illegal and consequently direct the 5<sup>th</sup>

*Page No.1/5*



W.P.No.36192 of 2023 & W.M.P.No.36175 of 2023

respondent to grant permission to the petitioner for conducting public stall near Nagore Bus Stand, Nagore Beach and Railway Station to circulate bit notices and pamphlets from 14.12.2023 to 27.12.2023.

For Petitioner : Mr.I.Abdul Basith

For Respondents : Mr.Leonard Arul Joseph Selvam.  
Government Advocate (CrI.Side)

### **ORDER**

This Writ Petition is filed to issue Certiorarified Mandamus to call for the records relating the impugned order of the 5<sup>th</sup> respondent vide Na.Ka.No.24/Nagai/Nagore/2023 dated 11.12.2023 and quash the same as illegal and consequently direct the 5<sup>th</sup> respondent to grant permission to the petitioner for conducting public stall near Nagore Bus Stand, Nagore Beach and Railway Station to circulate bit notices and pamphlets from 14.12.2023 to 27.12.2023.

2. The petitioner herein seeks permissible to put up a stall near Nagore Bus Stand and other public places to propagate his Religion and issue pamphlets. The said request was declined by the Police citing Public Order.



W.P.No.36192 of 2023 & W.M.P.No.36175 of 2023

3. This Court finds that there cannot be any temporary structure in public road causing nuisance to the public, for that reason, the respondents have refuse to grant permission. This Court hence held that the order of refusal is legally sustainable.

4. Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

22.12.2023

Index :Yes/No.  
Internet :Yes/No.  
Speaking Order/Non-Speaking Order  
bsm

Copy to:-

1. The Secretary, Home Department,  
State of Tamil Nadu,  
Fort St.George, Chennai – 600 009.
2. The Director General of Police,  
Dr.Radhakrishnan Salai, Mylapore,  
Chennai – 600 004.
3. The Superintendent of Police,  
Nagapattinam District.  
Nagapattinam.

Page No.3/5



W.P.No.36192 of 2023 & W.M.P.No.36175 of 2023

4. The Inspector of Police,  
Nagore Police Station,  
Nagapattinam.

5. The Public Prosecutor, High Court, Madras.



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W.P.No.36192 of 2023 & W.M.P.No.36175 of 2023

**DR.G.JAYACHANDRAN, J.**

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W.P.No.36192 of 2023  
& W.M.P.No.36175 of 2023

22.12.2023