



W.P.(MD)No.2444 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.02.2023**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

W.P.(MD)No.2444 of 2023

and

W.M.P.(MD)Nos.2216 and 2217 of 2023

1.Vicky Chaudhary

2.Bharat Mukti Mocha
represented by its Authorized person
Vicky Chaudhary

... Petitioners

Vs.

- 1.The Director General of Police,
Head of the Police Force,
Dr.Radhakrishnan Salai,
Mylapore,
Chennai.
- 2.The Superintendent of Police,
O/o. Superintendent of Police,
Kanyakumari District,
Kanyakumari.
- 3.The Deputy Superintendent of Police,
Kanyakumari District,
Kanyakumari.
- 4.The Commissioner of Police,
O/o. Commissioner of Police,
Tirunelveli.



W.P.(MD)No.2444 of 2023

5.The Superintendent of Police,
O/o. Superintendent of Police,
Tenkasi District,
Tenkasi.

6.The Superintendent of Police,
O/o. Superintendent of Police,
Virudhunagar District,
Virudhunagar.

7.The Superintendent of Police,
O/o. Superintendent of Police,
Sivagangai District,
Sivagangai.

8.The Superintendent of Police,
O/o. Superintendent of Police,
Theni District, Theni.

9.The Commissioner of Police,
O/o. Commissioner of Police,
Madurai City,
Madurai.

10.The Superintendent of Police,
O/o. Superintendent of Police,
Pudukottai District,
Pudukottai.

11.The Superintendent of Police,
O/o. Superintendent of Police,
Thoothukudi District,
Thoothukudi.

12.The Superintendent of Police,
O/o. Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.



W.P.(MD)No.2444 of 2023

13.The Superintendent of Police,
O/o. Superintendent of Police,
Dindigul District,
Dindigul.

14.The Superintendent of Police,
O/o. Superintendent of Police,
Thanjavur District,
Thanjavur.

15.The Commissioner of Police,
O/o. Commissioner of Police,
Trichy City,
Trichy.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to impugned proceedings in Na.Ka.No. 17/Proceeding/Kaa.Dhu.Ka(Ka.Ku)/2023 dated 25.01.2023 on the file of the third respondent and quash the same as illegal and consequently directing the second respondent to permit the petitioner to conduct the “Bharat Mukti Morcha Yatra” in Tamil Nadu commencing from cape comorin of Kanyakumari District to Kashmir for 21 days in the month of February through Tamil Nadu or any other alternate date.

For Petitioners : Mr.Lajapathi Roy, Senior Counsel
for M/s.Lajapathi Roy and Associates

For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor



WEB COPY



W.P.(MD)No.2444 of 2023

ORDER

This Writ Petition has been filed seeking a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned proceedings in Na.Ka.No.17/Proceeding/Kaa.Dhu.Ka(Ka.Ku)/2023 dated 25.01.2023 on the file of the third respondent and quash the same as illegal and consequently directing the second respondent to permit the petitioner to conduct the “Bharat Mukti Morcha Yatra” in Tamil Nadu commencing from cape comorin of Kanyakumari District to Kashmir for 21 days in the month of February through Tamil Nadu or any other alternate date.

2. Mr.E.Antony Sahaya Prabahar, learned Additional Public Prosecutor takes notice for the respondents. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. It is seen from the records that the third respondent has passed the impugned order rejecting the representation dated 23.01.2023 made



W.P.(MD)No.2444 of 2023

by the writ petitioners for conducting the “Bharat Mukti Morcha Yatra” in Tamil Nadu stating that promulgation order passed under Section 30(2) police act in Kanyakumari District and that it will create hindrance to the transport and the general public.

4. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents would submit that the representation of the writ petitioners does not contain the required particulars and they may be directed to file their tour schedule with necessary particulars before the third respondent and on such representation, the third respondent may be directed to consider the same.

5. Recording the submission made by the learned Additional Public Prosecutor, the writ petitioners are directed to file a fresh representation indicating the tour schedule to the third respondent and on such representation, the third respondent is directed to consider the same and pass orders within a period of three days from the date of representation.



W.P.(MD)No.2444 of 2023

6. With the above directions, this Writ Petition stands disposed of.

No costs. Consequently, connected Miscellaneous Petitions are closed.

08.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm

Note : Issue order copy on 09.02.2023

To

1. The Director General of Police,
Head of the Police Force,
Dr. Radhakrishnan Salai,
Mylapore,
Chennai.
2. The Superintendent of Police,
O/o. Superintendent of Police,
Kanyakumari District,
Kanyakumari.
3. The Deputy Superintendent of Police,
Kanyakumari District,
Kanyakumari.
4. The Commissioner of Police,
O/o. Commissioner of Police,
Tirunelveli.
5. The Superintendent of Police,
O/o. Superintendent of Police,
Tenkasi District,
Tenkasi.
6. The Superintendent of Police,
O/o. Superintendent of Police,
Virudhunagar District,
Virudhunagar.

6/8



W.P.(MD)No.2444 of 2023

- 7.The Superintendent of Police,
O/o. Superintendent of Police,
Sivagangai District,
Sivagangai.
- 8.The Superintendent of Police,
O/o. Superintendent of Police,
Theni District, Theni.
- 9.The Commissioner of Police,
O/o. Commissioner of Police,
Madurai City,
Madurai.
- 10.The Superintendent of Police,
O/o. Superintendent of Police,
Pudukottai District,
Pudukottai.
- 11.The Superintendent of Police,
O/o. Superintendent of Police,
Thoothukudi District,
Thoothukudi.
- 12.The Superintendent of Police,
O/o. Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
- 13.The Superintendent of Police,
O/o. Superintendent of Police,
Dindigul District,
Dindigul.
- 14.The Superintendent of Police,
O/o. Superintendent of Police,
Thanjavur District,
Thanjavur.
- 15.The Commissioner of Police,
O/o. Commissioner of Police,
Trichy City,
Trichy.
- 16.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



W.P.(MD)No.2444 of 2023

K.MURALI SHANKAR,J.

csn

Order made in
W.P.(MD)No.2444 of 2023
and
W.M.P.(MD)Nos.2216 and 2217 of 2023

Dated: 08.02.2023