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W.P.No.7377 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.7377 of 2024

and

W.M.P.No.8278 of 2024

J.Ramesh Kumar,
BJP District President,
Coimbatore Managar,
Having his Office at
No.17, VKK Menon Road,
Sidhapudur, Coimbatore,
Tamil Nadu – 641 044.

.. Petitioner

Vs.

1.The Commissioner of Police,
Coimbatore,
Coimbatore District.

2.The Assistant Commissioner,
R.S.Puram Range,
Coimbatore District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records to quash the order made in C.No.13/Ka/OO/AA/RS Puram Range/2024 dated 14.03.2024 passed by the second respondent and to direct the respondents to grant permission to the petitioner to conduct Road Show in Mettupalayam Road, Coimbatore and to provide adequate police protection on 18.03.2024 starting 4 PM for a distance of 4 kilometers.



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For petitioner : Mr.R.C.Paul Kanagaraj

For Respondents : Mr.K.M.D.Muhilan
Government Advocate

ORDER

The District President of Bharatiya Janata Party (BJP), Coimbatore has filed this Writ Petition challenging the rejection order passed by the 2nd respondent dated 14.03.2024 and for a consequential direction to the respondents to grant permission to conduct the road show on 18.03.2024 for 4 kilometers via Mettupalayam Road, Coimbatore, to be attended by the Hon'ble Prime Minister of India.

2.Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.

3.The petitioner applied for permission with the 2nd respondent on 14.03.2024 to permit his party to conduct a Road Show for 4 kilometers in which the Hon'ble Prime Minister of India was to participate in order to meet the people and to sensitize them regarding the various welfare measures and schemes provided by the office of the Prime Minister. On receipt of the representation, the same was rejected by the 2nd respondent through impugned proceedings dated 14.03.2024.



4.The 2nd respondent in the rejection order has stated that the Road Show to be conducted goes through areas covering Hospitals, Commercial Establishments, Government Offices, Educational Institutions, etc., and it is going to take place during the peak hours and therefore, it will affect the free movement of the general public who will be finding it very difficult to reach their homes and will be stranded. The other reason that has been stated is that the students are writing the 10th standard and 12th standard examinations and it will disturb their preparation for the examination. That apart, the place where the Road Show is going to be conducted is a communally sensitive place and it will be very difficult to provide for the security arrangements of the Hon'ble Prime Minister of India. The last reason that has been assigned is that till now, no permission has been given for any Road Show to any person and therefore this request also cannot be acted upon.

5.The Hon'ble Prime Minister of India wants to meet the people and sensitize them about the various welfare measures / schemes provided by the office of the Prime Minister. The Road Show is going to be held for 4 kilometers and during a short span of time, the Hon'ble



Prime Minister wants to meet/interact with as many people as possible and therefore the Road Show has been chosen as a medium to meet the people.

6.The stand taken by the 2nd respondent as if no permission has ever been granted for a Road Show to anyone, is on the face of it baseless. On many occasions, permission has been granted for Road Show for political leaders to meet the people. Therefore, this cannot be a ground for rejecting the permission.

7.The meeting organized for any political leader to interact with the people and more particularly for those who are holding the position of the Prime Minister or the Chief Minister, is certainly going to cause some hindrance to the free movement of the general public. However, that cannot be a ground to deny permission and the Police will have to find alternative routes to ensure smooth movement of the general public and vehicles. Ultimately, these leaders have been chosen by the people and hence, they should not be stopped from meeting the people who elected them. In the instant case, the mode adopted for meeting people is to have a Road Show to ensure that the Hon'ble Prime Minister of India comes



interface with maximum number of people at Coimbatore within a short time. Hence, the hindrance to general public due to the visit of the Hon'ble Prime Minister is unavoidable and that cannot be raised as a ground to deny permission.

8.The Road Show is going to take place after 5 PM in some arterial road and therefore, there is no occasion to disturb the students studying for the examination. This reason assigned in the rejection order is unsustainable.

9.In so far as the sensitivity of the place is concerned, the Hon'ble Prime Minister is provided with SPG cover at all times and they generally take over the security arrangements to ensure that the visit of the Prime Minister goes on in a smooth manner by providing maximum security. While undertaking this process, the Police belonging to the State will co-ordinate with the SPG and there is no reason to deny the permission only on the ground that the place is communally sensitive. Hence, the rejection of permission on the ground that the place where the Road Show is going to be held is communally sensitive, is also unsustainable.



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10.In the light of the above discussion, this Court is inclined to interfere with the impugned proceedings of the 2nd respondent dated 14.03.2024 and the same is hereby set aside. There shall be a direction to the 2nd respondent to grant the permission and necessary Police protection by imposing reasonable conditions. Such condition shall also include the route through which the Road Show will take place and the distance to be covered through the Road Show. One such condition shall be that no flex boards will be allowed to be erected by the organizers during the event. The petitioner shall comply with the conditions imposed by the 2nd respondent. All concerned shall ensure that the Road Show takes place in a smooth manner without giving rise to any law and order problem or cause any concerns to the safety and security of the Hon'ble Prime Minister of India.

11.In the result, the Writ Petition is allowed with the above directions. No costs.

15.03.2024

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Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No



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NOTE: Issue order copy today i.e., 15.03.2024.

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To

- 1.The Commissioner of Police,
Coimbatore,
Coimbatore District.
- 2.The Assistant Commissioner,
R.S.Puram Range,
Coimbatore District.

N.ANAND VENKATESH, J.



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