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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.09.2025

CORAM
THE HONOURABLE DR.JUSTICE ANITA SUMANTH
AND
THE HONOURABLE MR. JUSTICE C. KUMARAPPAN

Writ Petition No.24433 of 2025

G.Sathya Priya

... Petitioner

..Vs..

1.The State of Tamil Nadu,
Rep by its Chief Secretary,
Secretariat St. George Fort,
Chennai-600 009.

2.The Secretary,
Home Department,
Secretariat, St.George Fort,
Chennai-600 009.

3.The Director General of Police,
Law and Order,
Kamarajar Salai,
Mylapore, Chennai-4.

4.The District Collector,
Ramanathapuram District.

5.The District Collector,
Sivagagai District.

6.The Superintendent of Police,
Ramanathapuram District.

7.The Superintendent of Police,
Sivagangai District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, to direct the respondents to prohibit the conduct “Thevar Jayanthi, “Immanuvel Sekaran Memorial day, Mutharaiyar Festival, Dheeran Chinnalai Festival, Veerapandiya Kattabomman festival, Maruthupandiyar Guru Poojai and Moogaiyathevar festival celebrations processions, public meetings, and related functions in Ramanathapuram District and other sensitive areas of Tamil Nadu in the interest of maintaining public order and communal harmony, and Direct the 3rd 6th and 7th respondents to take effective preventive measures under the relevant provisions of law, including Section 144 Cr.P.c/163 of BNSS, the Tamil Nadu District Police Act 1859, register the FIR, to ensure peace and tranquility and direct the 3rd respondent police to submit so far registered case status details against these festival by considering the petitioner's representation dated 20.08.2025 within the stipulated time period.

For Petitioner : Mr.G.Sakthi Rao

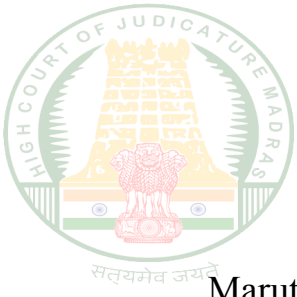
For R1, 2, 4 & 5 : MrM.Ajmalkhan,
Additional Advocate General,
assisted by Mr.P.Thilakkumar,
Government Pleader

For R3, 6 & 7 : Mr.P.Kottaichamy
Government Advocate

ORDER

(Order of the Court was made by C.KUMARAPPAN,J.)

This Writ Petition is filed for the issuance of a writ of mandamus to direct the respondents to prohibit the conduct of “Thevar Jayanthi, “Immanuvel Sekaran Memorial day, Mutharaiyar Festival, Dheeran Chinnalai Festival, Veerapandiya Kattabomman festival,

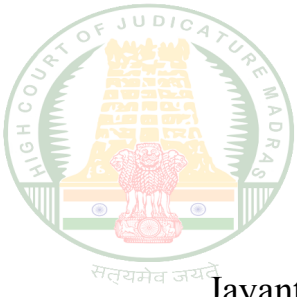


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Maruthupandiyar Guru Poojai and Moogaiyathevar festival celebrations processions, public meetings, and related functions in Ramanathapuram District and other sensitive areas of Tamil Nadu, in the interest of maintaining public order and communal harmony, and Direct the 3rd 6th and 7th respondents to take effective preventive measures under the relevant provisions of law, including Section 144 Cr.P.c/163 of BNSS, the Tamil Nadu District Police Act 1859, register the FIR, to ensure peace and tranquillity and direct the 3rd respondent to submit so far registered case status details against these festivals, by considering the petitioner's representation dated 20.08.2025.

2.Heard Mr.G.Sakthi Rao, learned counsel appearing for the petitioner, MrM.Ajmalkhan, learned Additional Advocate General, assisted by Mr.P.Thilakkumar, Government Pleader, for the respondent Nos.1, 2, 4 & 5 and Mr.P.Kottaichamy, learned Government Advocate appearing for the respondents No.R3, 6 & 7.

3.The learned counsel appearing for the petitioner would submit that the petitioner is a law abiding and public spirited citizen. It is the submission of the petitioner that every year during the period of Thevar



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Jayanthi, Immanuvel Sekaran Memorial Day, Mutharaiyar Festival, Dheeran Chinnamalai Festival, Veerapandiya Kattabomman Festival celebrations, there is a widespread communal tension and caste-based clashes which resulted in disruption of public peace and destruction of public property. The learned counsel would also invite the attention of this Court to various photographs taken during above events at different point of time, which depicts the violence and the unlawful conduct caused by the participants. The learned counsel would further submit that no criminal cases have been registered against those violators and the participants of such events, are let scot free as they are political personalities. Hence, he prays for a mandamus prohibiting the conduct of the above celebrations.

4.Per contra, the said contention was stoutly objected by the learned Additional Advocate General by contending that in order to effectively manage this events, they have made elaborate arrangements and have also conducted meetings with various officials. The learned Additional Advocate General would further submit that the District Magistrate has promulgated the order under Section 163(1) of BNSS, prohibiting public meeting or assembling of five or more persons. Apart



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from that, the learned Additional Advocate General would contend that criminal cases were registered whenever there was a violation of law by the organizers or participants and has also produced the details of the list of those cases. The learned Additional Advocate General would further submit that any blanket ban of such events, is nothing but violation of fundamental rights to assemble and association. Hence, prays to dismiss the present writ petition.

5. We have given our anxious consideration to either side submissions and also perused the materials available on record.

6. The main fulcrum of the submission rest upon the point that the conduct of these events would pave way for communal clashes and disruption to the public peace. No doubt, there were incidents of such nature, which the Government cannot deny. But, it is the submission of the learned Additional Advocate General that, in order to effectively manage and conduct the event with utmost peace, Government has made elaborate arrangements. The learned Additional Advocate General has invited the attention of this Court about the minutes of meeting dated 20.08.2025 conducted in the presence of the District Collector, where all



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the departments were participated and in which, they have formulated the guidelines for the organizers, Police, Revenue and Disaster Management Department, Municipal Corporation and Water Resources Department, Transport Department, Local Authorities, Highways Department, Fire Department, Health and Family Department, Education Department and Electricity Department. The said minutes of meeting is taken on record.

7. Apart from that, the learned Additional Advocate General would also inform the Court that the District Collector of Ramanathapuram, has proclaimed an order under Section 163(1) of BNSS, vide order dated 29.08.2025. This Court has perused the minutes of meeting dated 20.08.2025, wherein the fourth respondent has taken elaborate arrangements to avoid any untoward incidents. As rightly submitted by the learned Additional Advocate General, if any blanket ban is imposed, then it is nothing but denial of fundamental rights for the peaceful assembly and protest. As held in the judgment of the Hon'ble Supreme Court in ***RAMLILA MAIDAN INCIDENT, IN RE***, reported in (2012) 5 ***SCC 1***, the citizen's has right for peaceful assembling with the responsibility to maintain public order. Furthermore, it is the duty of the State to facilitate protection by considering "Care Perception" to those



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who assemble for such an event. Therefore, though this Court has found a genuine concern raised by the petitioner, the Government had already taken all actions of “Care Perception” to avoid any untoward incidents. Therefore, this Court finds no ground to issue any further mandamus to the respondents.

8. Therefore, recording the submissions of the learned Additional Advocate General and by recording the minutes of meeting of the fifth respondent, dated 20.08.2025, this Writ Petition is disposed of. No costs.

[A.S.M.J.] & [C.K.J.]
09.09.2025

Index::Yes/No
Ncc:Yes/No
Ns

DR.ANITA SUMANTH,J.
AND
C.KUMARAPPAN,J.
Ns



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To

1. The State of Tamil Nadu,
Rep by its Chief Secretary,
Secretariat St. George Fort,
Chennai-600 009.
2. The Secretary,
Home Department,
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Chennai-600 009.
3. The Director General of Police,
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5. The District Collector,
Sivagagai District.
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Order made in
Writ Petition No.24433 of 2025

09.09.2025