



W.P.Crl(MD)No.1616 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 25.03.2026

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

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S.Tamilselvam

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep by the Superintendent of Police,
Office of the Superintendent of Police,
Kovilpatti, Thoothukudi.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Kovilpatti, Thoothukudi District.
- 3.The Inspector of Police,
East Police Station, Kovilpatti,
Thoothukudi District.
- 4.The Election Returning officer/
Revenue Divisional Officer,
Kovilpatti.

... Respondents

(R4 is suo motu impleaded by this Court vide order dated 25.03.2026)

PRAYER :-Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the



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records relating to the impugned order in Order issued by the 3rd Respondent in நா.கா.எண்:08/கோ.கி.கா/2026 dated 11.03.2026, passed by the Inspector of Police, Kovilpatti East Police Station and quash the same as illegal and arbitrary, and consequently direct the respondents and to consider the representation of the petitioner dated 13.03.2025 within a time frame to be fixed by this Court.

For Petitioner : M/s.M.Sneha
for Mr.S.Dinesh Rao
For R4 : Mr.C.Satheesh
Government Advocate(Crl.Side)
For R1 - R3 : Mr.M.Sakthi Kumar
Government Advocate(Crl.side)

ORDER

Challenging the impugned order passed by the 3rd respondent, dated 11.03.2026 in நா.கா.எண்:08/கோ.கி.கா/2026, this writ petition is filed.

2. The learned counsel for the petitioner submitted that the petitioner is the District Secretary of Visva Janasakti Trade Union Council, Thoothukudi. Pursuant to a gruesome incident of murder which happened on 26.02.2026 at about 8.00 p.m., wherein one Manoj @ Marimuthu, son of Thirupathi and Muthulakshmi of



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Shankaralingapuram Village, Kovilpatti Taluk, Thoothukudi District was brutally hacked to death by unknown persons near Eswari Amman Temple at 3rd Street, Shankaralingapuram, Kovilpatti creating panic and shock among the general public, the First Information Report in Crime No.242 of 2026, was registered. In this regard, seeking transparency in the investigation, the petitioner on behalf of his Trade Council, had submitted a representation on 03.03.2026 to the 3rd respondent to conduct a peaceful protest on 15.03.2026 at Kovilpatti. However, the same came to be rejected by the impugned proceedings dated 11.03.2026. Challenging the same, this writ petition is filed.

3. The learned Government Advocate(Criminal) submitted that already for the same incident, permission has been given to similar organization to conduct a protest. However, in the instant case, the destination which is sought for by the petitioner to conduct the said protest is not feasible and it is a very busy junction. That apart, already proper investigation is proceeding in the right terms and all the offenders have been arrested and remanded to judicial custody and steps



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to invoke law under Tamil Nadu Act 14 of 1982 is also in the process and sought for dismissal of this petition.

4. Heard the learned counsels on either side and carefully perused the materials available on record.

5. Article 19(1)(a) and 19(1)(b) of the Constitution guarantee freedom of speech and expression, and the right to peaceful assembly without arms. These rights can be restricted only by reasonable restrictions provided by law. The Hon'ble Supreme Court has consistently held that peaceful protest is a recognized democratic right, and criminal prosecution cannot be launched unless the alleged act squarely falls within the ingredients of a penal offence.

6. The Election Returning officer/ Revenue Divisional Officer, Kovilpatti is *suo motu* impleaded as 4th respondent.



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7. The impugned order, dated 1103.2026 is set aside. Since the election code of conduct has commenced in the State of Tamil Nadu, the petitioner is directed to make fresh application to the 4th respondent. On receipt of the same, the 4th respondent is directed to provide proper permission for conduct of protest in an alternate destination other than the one rejected by the 3rd respondent police and ensure proper conduct of protest on 07.04.2026.

8. With the above directions, this Writ Petition stands allowed.

No costs.

25.03.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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Note : Issue order copy on 02.04.2026.

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Kovilpatti, Thoothukudi.



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- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Kovilpatti, Thoothukudi District.
- 3.The Inspector of Police,
East Police Station, Kovilpatti,
Thoothukudi District.
- 4.The Election Returning officer/
Revenue Divisional Officer,
Kovilpatti.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI,J

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