



CNR: KAHC010555842026

NC: 2026:KHC:43407
WP No. 25036 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 14TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 25036 OF 2026 (GM-POLICE)

BETWEEN:

1. HINDU JAGRANA VEDIKE
MYSURU CITY,
AN UNREGISTERED ORGANIZATION
REP BY ITS CONVENER/CO-ORDINATOR,
SRI VASANTH KUMAR A Y
S/O YOGANNA
AGED ABOUT 45 YEARS
R/AT #863
BELVATHA VILLAGE, RBI POST
MYSURU - 570 003
2. SRI VASANTH KUMAR A Y
S/O YOGANNA
AGED ABOUT 45 YEARS,
R/AT #863,
BELVATHA VILLAGE, RBI POST
MYSURU - 570 003.

... PETITIONERS

(BY SRI. ARUN SHYAM M., SENIOR ADVOCATE FOR
SRI ARUN NACHAPPA K.K., ADVOCATE)

AND:

1. THE COMMISSIONER OF POLICE
MYSURU CITY
O/AT MIRZA ROAD,
NAZARBAD MOHALLA
MYSURU - 570 010
2. THE POLICE INSPECTOR
MANDI POLICE STATION,
KABEER ROAD





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MANDI MOHALLA
MYSURU - 570 021

... RESPONDENTS

(BY SRI. V.G. BHANUPRAKASH, AAG A/W
SRI PANINI A.H., AGA FOR R1)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT IN THE NATURE OF CERTIORARI OR ANY OTHER WRIT AND QUASH THE ENDORSEMENT DATED 06.08.2026 IN NO./M.P.S/CC//2026 ISSUED BY THE RESPONDENT NO. 2 (PRODUCED AT ANNEXURE-A) AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The petitioners are before this Court seeking for the following reliefs:

- I. Issue a Writ in the nature of Certiorari or any other Writ and quash the endorsement dated 06.08.2026 in No./M.P.S/CC//2026 issued by the Respondent No.2 (Produced at Annexure-A);*
- II. Issue a Writ in the nature of Mandamus and direct the Respondents to permit the petitioner to conduct 'Akhandha Bharatha Sanklap Dhina' and hold torchlight march/walk and to conduct stage program at Mysuru City by considering the representation made by the Petitioner vide letter dated - 05-08-2026 (produced at Annexure- C).*
- III. Issue any other Writ or Order and grant such other and further relief as this Hon'ble Court may deem fit in the facts and circumstances of the case, in the interest of justice and equity.*

2. The first petitioner claims to be a social, humanitarian and non-profit service organisation,



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while the second petitioner is one of its office bearers. The petitioners proposed to organise a procession from RMC Ganesha Temple to Dodda Gadiyara Circle, Mysuru, as part of the Independence Day celebrations.

3. For the said purpose, the petitioners submitted an application to the respondent-Police seeking permission and the necessary security arrangements for the procession. By endorsement dated 06.08.2026, the respondent rejected the request. The endorsement states that permitting the procession may give rise to communal tension along the proposed route, that the route passes through areas where hospitals are situated, that the movement of vehicles would be affected, and that the free flow of traffic would be disrupted. Aggrieved by the said endorsement, the petitioners have approached this Court seeking the reliefs prayed for in the writ petition.
4. The proposed procession is proposed to be held on the eve of Independence Day (14.08.2026), intended to commemorate Independence Day (15.08.2026). Independence Day is a national occasion that belongs to every citizen of the country, irrespective



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of religion, caste, community or region. The mere fact that a procession is proposed in connection with the celebration of Independence Day cannot, by itself, justify an apprehension of communal tension. While it is the duty of the Police to assess law and order concerns and make appropriate arrangements to maintain public peace, any restriction on such a celebration must be founded on objective material and not on a general or speculative apprehension.

5. The learned Additional Advocate General contended that permitting the proposed procession would adversely affect the movement of traffic. In response, Sri Aruna Shyam M., learned Senior Counsel appearing for the petitioners, submitted that the procession is scheduled to commence at 5.30 p.m. from RMC Ganesha Temple and conclude at about 7.30 p.m. at Dodda Gadiyara Circle.
6. Learned Senior Counsel further submitted that, as indicated in the application itself, only about 100 persons are expected to participate in the procession. Considering the limited number of participants and the fact that the procession would cover a distance of approximately four kilometres, it



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was submitted that the likelihood of any significant disruption to traffic is minimal.

7. This Court is of the view that, if the procession is conducted in an orderly manner, there is no reason to assume that it would seriously impede the movement of traffic. The participants can be required to proceed in disciplined rows, with only a few persons walking in a row, leaving sufficient space for the movement of other vehicles. Since the procession is a moving one and not a stationary gathering at any particular location, any impact on traffic would be temporary and would shift along the route as the procession progresses. The inconvenience, if any, would therefore be limited in duration and spread over the length of the route. Such temporary inconvenience cannot, by itself, be a valid ground to deny permission for a procession organised to commemorate Independence Day.
8. The learned Additional Advocate General also submitted that criminal cases have been registered against some of the organisers and that charge sheets have been filed in those cases. According to him, there is a possibility that such persons may



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indulge in unlawful activities or acts likely to disturb public peace during the procession.

9. This contention, by itself, cannot be a ground to refuse permission. Merely because criminal proceedings are pending against some of the organisers or a charge sheet has been filed against them does not mean that they lose their right to participate in a national celebration. Until a competent Court records a finding of guilt, every accused is presumed to be innocent. Therefore, the existence of a pending criminal case, by itself, cannot be treated as a reason to deny permission.
10. The celebration of Independence Day is a matter of national importance. It is an occasion for every citizen to celebrate the freedom of the country and the values embodied in the Constitution. The right to participate in such a celebration is available to every citizen. That right cannot be denied only because criminal proceedings are pending against a person. Unless there is an order of a competent Court restraining such person from participating, or there is clear and specific material to show that his participation is likely to result in violence or disturb



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public peace, the authorities cannot refuse permission on that ground alone.

11. In the present case, the respondents have not placed any material before this Court to show that any of the organisers or participants are likely to indulge in unlawful activities during the procession. The apprehension expressed is only a general one. Administrative authorities must act on facts and not on assumptions. A mere possibility or suspicion is not enough to restrict the exercise of a citizen's rights.
12. If the respondents have any genuine concern regarding the maintenance of law and order, they are always at liberty to impose reasonable conditions while granting permission. In the absence of any concrete material showing a real likelihood of disturbance, permission cannot be refused merely because criminal proceedings are pending against some of the organisers.
13. In this regard, learned Senior Counsel submitted that the organisers are willing to assume full responsibility for the conduct of the procession. They have undertaken to ensure that the event is conducted peacefully, that all lawful directions issued by the Police are strictly followed, and that no



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untoward incident is permitted to occur during the course of the procession. Such an undertaking, together with appropriate conditions that may be imposed by the Police, would adequately safeguard public order while enabling the petitioners to celebrate Independence Day in a lawful and orderly manner.

14. A memo has also been filed on 12.08.2026 giving the details of nine (09) of the organizers who would be responsible for the procession to be conducted in a peaceful manner. The said names are reproduced hereunder for easy reference;

1. Sri.Vasanth Kumar.A.Y.
2. Sri.Chandra Swamy
3. Sri.Raghavendra C
4. A.C.Manjunatha
5. Girish Surendra Ganiga
6. Sri.Jagadeesh
7. Mahesh B B
8. Sri.Shreyas
9. Sri.Yashwanth M



15. Along with the said memo, the Aadhar card of each of the said persons is enclosed, providing details of their address etc., which would always be available with the respondent-authorities in the event of any action is to be taken as submitted by Sri.Aruna Shyam.M., learned Senior counsel, in the unlikely chance of an untoward event were to happen.
16. In view of all the above facts, being of the considered opinion that all citizens would be required to celebrate Independence Day and nobody ought to be prevented from celebrating Independence Day. This Court passes the following;

ORDER

- i. The Writ petition is ***allowed***.
- ii. A certiorari is issued, the endorsement dated 06.08.2026 bearing No./M.P.S/CC/ /2026 issued by respondent No.2 at Annexure-A is quashed.
- iii. The respondents are directed to permit the petitioners to conduct the 'Akhandha Bharatha Sankalpa Dhina' and hold a torchlight/march/walk/procession from RMC Ganesha Temple commencing from 05.30 p.m. on



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14.08.2026 ending at Dodda Gadiyara Circle
07.30 p.m. on 14.08.2026.

- iv. Insofar as the stage program to be conducted, if the petitioners have obtained necessary permission from the concerned authority for conduct of such stage program they would be entitled to do so.
- v. It is made clear that this order does not in any manner permit any stage program.
- vi. Hand delivery ordered.
- vii. The respondents are directed to act on the operative portion of the order without insisting on the entire order.
- viii. Learned AAG is directed to inform the concerned authorities about the above order by way of email and through telephone.
- ix. It is made clear that petitioner No.2 and persons named in the body of the order would be responsible for any untoward incident on strict liability basis.

**Sd/-
(SURAJ GOVINDARAJ)
JUDGE**

SR
List No.: 1 Sl No.: 1