

W.P.(MD)Nos.27532, 27540, 27541 & 275

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.10.2025

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CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

AND

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

W.P.(MD)Nos.27532, 27540, 27541 & 27554 of 2025

and

W.M.P.(MD).Nos.21422, 21423, 21429, 21431 and 21446 of 2025

W.P.(MD)No.27532 of 2025:

Senthilkannan

... Petitioner

-Vs-

1.The Director General of Police (HOPF),

Dr.Radhakrishnan Salai,

Mylapore, Chennai – 600 004.

2.Tamilaga Vettri Kazhagam (TVK),

Represented by its President,

Mr.Vijay, S/o.S.A.Chandrasekar

Plot No.275, Seashore Town, 8th Avenue,

Panaiyur, Chennai 600 119.

... Respondents



PRAYER: Petition filed under Article 226 of the Constitution of India, to issue Writ of Mandamus, directing the 1st respondent to draft and implement necessary and appropriate safety protocols and Standard Operating Procedures for all public gatherings, rallies and meetings to be conducted by and political party or such other organisation, which would draw public crowd.

For Petitioner : Mr.D.S.Haroon Rashid
for Mr.B.Praveen Kumar

For R-1 : Mr.N.R.Elango, Special Senior Counsel
Assisted by Mr.E.Raj Thilak,
Additional Public Prosecutor

W.P.(MD)No.27540 of 2025

K.Kathiresan ... Petitioner
Vs.

1. The State of Tamil Nadu

Rep. by its Home Secretary,
Secretariat, Chennai 600 009

2. The Election Commission of India,

Rep. by its Chief Election Commissioner,
Nirvachan Sadan, Ashoka Road,
New Delhi - 110 001.



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3. The Chief Electoral Officer/Secretariat to Government,
Public(Elections) Department, Secretariat,
St.George Fort, Chennai - 600 009.

4. The Director General of Police(Head of Police Force),
No.4, Dr.Radhakrishnan Saalai, Mylapore,
Chennai - 600 004.

5. Tamilaga Vettri Kazhagam,
Rep by its General Secretary,
Bussy N.Anand,
Plot No.275, Seashore Town, 8th Avenue,
Panaiyur, Chennai 600 119.

6. Joseph Vijay, S/o.Chandrasekhar,
Founder-President, Tamilaga Vettri Kazhagam,
Plot No.275, Seashore Town, 8th Avenue,
Panaiyur, Chennai 600 119.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the Respondents 1 to 4 to frame and notify appropriate rules, regulations, standard operating procedures(SOP's) for regulating political rallies,



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roadshows, conferences and other mass gatherings in Tamil Nadu by adopting the crowd management guidelines issued by the NDMA (National Disaster Management Authority), NIDM (National Institute for Disaster Management) and BPRD (Bureau for Police Research and Development), thereby mandating the imposition of stringent regulations which are legally enforceable on the organizers of such rally in order to ensure adequate safety and precautionary measures, with appropriate guidelines for the collection of safety deposits, indemnity bonds, enrolment of group insurance scheme from such organizers / political parties who intend to organize such rallies, large congregations to ensure compensation for victims who may suffer irreparable injury and loss of life in the event of any untoward incidents that may happen, by considering the petitioner's representation dated 29.09.2025 within a time limit that may be fixed by this Court.

For Petitioner : Mr.A.K.Amaravel Pandiyan

For R-1 & R-3 : Mr.N.R.Elango, Special Senior Counsel

Assisted by Mr.P.Thilak Kumar, Government Pleader

For R-4 : Mr.Veera Kathiravan, Additional Advocate General – II,

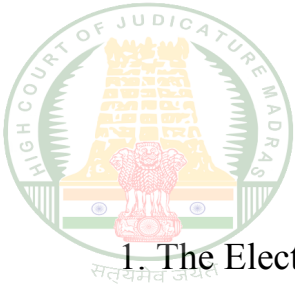
Assisted by Mr.A.Thiruvadikumar,

Additional Public Prosecutor

W.P.(MD)No.27541 of 2025

K.K.C.P.Prabahara Pandian
Vs.

... Petitioner



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1. The Election Commission of India,

Rep. by its Commissioner,

Ashoka Road, New Delhi.

2. The Election Commission of Tamil Nadu,

Rep. by its Commissioner,

No.208/2, Jawaharlal Nehru Road,

Arumbakkam, Chennai - 600 106.

3. The Principal Secretary to the Government,

Secretariat, Fort St.George, Chennai.

4. The Home Secretary to the Government,

Secretariat, Fort St.George, Chennai.

5. The Director General of Police,

No.1, Dr.Radhakrishnan Salai,

Mylapore, Chennai.

6. Tamilaga Vettri Kazhagam

Rep. by its General Secretary, Bussy N.Anand

Headquarters, Panaiyur,

Chennai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ



W.P.(MD)Nos.27532, 27540, 27541 & 275

of Mandamus, directing the respondents 1 to 5 not to accord permission to 6th respondent party to conduct meeting within the Tirunelveli District, until the completion inquiry, based on the petitioner's representation dated 29.09.2025.

For Petitioner : Mr.S.Packiya Muthu

For R-4 : Mr.N.R.Elango, Special Senior Counsel

Assisted by Mr.P.Thilak Kumar, Government Pleader

For R-5 : Mr.Veera Kathiravan, Additional Advocate General – II,

Assisted by Mr.A.Thiruvadikumar,

Additional Public Prosecutor

For R3 : Mr.J.Ravindran, Additional Advocate General

Assisted by Mr.P.Thilakkumar, Government Pleader

W.P.(MD)No.27554 of 2025

M.Thangam

... Petitioner
Vs.

1. The State of Tamilnadu

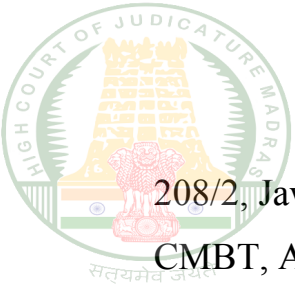
Rep by it's Principal Secretary,

Secretariat, Fort St.George,

Chennai - 600 009.

2. The Chief Election Commissioner,

Tamilnadu State Election Commission,



W.P.(MD)Nos.27532, 27540, 27541 & 27542

208/2, Jawaharlal Nehru Road Opposite,
CMBT, Arumpakkam, Chennai.

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3. The State of Tamilnadu,

Rep by its Home Secretary,
Secretariat, Fort St.George,
Chennai 600 009

4. The Director General of Police,

D.G.P. Office, Mylapore,
Dr.Radhakrishnan Salai,
Chennai -4

5. The Additional Director General of Police(Law and Order),

Mylapore,
Dr.Radhakrishnan Salai,
Chennai -4.

6. The District Collector,

Karur District, Karur.

7. The Superintendent of Police,

Karur District, Karur.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ



of Mandamus, directing the Respondents No.1 to 5 to frame Comprehensive Guidelines or Rules for Crowd control and Mass Gathering Management in Tamilnadu and to pass such other or further orders as this Honble Court may deem fit and proper in the circumstances of this case and thus render justice.

For Petitioner : Mr.R.Venkatesan

For R-3 : Mr.N.R.Elango, Special Senior Counsel

Assisted by Mr.P.Thilak Kumar, Government Pleader

For R-4,R-5 &R-7 : Mr.Veera Kathiravan, Additional Advocate General –

II,

Assisted by Mr.A.Thiruvadikumar,

Additional Public Prosecutor

For R-1 & R-6 : Mr.J.Ravindran, Additional Advocate General

Assisted by Mr.P.Thilakkumar, Government Pleader

COMMON ORDER

[Order of the Court was made by M.DHANDAPANI,J.]

Since the issues involved in all these writ petitions are one and the same, they are taken up together and disposed of by this common order.

2.Learned AGP/Government Advocate takes notice for the official



respondents. As no adverse order is being passed against the private respondents, notice to the private respondents is dispensed with.

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3.Through the aforesaid writ petitions, while the petitioners have prayed for certain reliefs, however, the common relief that is espoused through the said writ petitions is that without framing a Standard Operating Procedure (for short 'SOP'), no authority/law enforcing agency shall grant any permission for conduct of any meeting either by a political party or any other organization.

4.Learned Counsel for the respective petitioners submit that this Court may issue a direction to the State Government to frame separate guidelines in the form of Standard Operating Procedures (for short 'SOP') while permitting the conduct of meetings by political parties in public places. It is the submission of the learned counsel that in the absence of such a procedure being in place, permission granted leads to serious consequences, as the norms fixed by the law enforcing agency are flouted and even the law enforcing agency is not taking proper steps to avert such incidents. In this regard, it is pointed out by the learned counsel that already the very same issue is seized of by the Principal Seat of this Court in W.P. (Crl.) No.884 of 2025, wherein learned single Judge has issued direction to the State Government for framing necessary SOP



and the case has been posted for compliance with regard to framing SOP on 16.10.2025.

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5.Learned Additional Advocate General appearing for the official respondents submit that in pursuance to the directions issued in W.P. (Crl.) No.884 of 2025, the matter is under the active consideration of the State Government with regard to framing of SOP and if the petitioner wants to espouse their cause in framing proper guidelines, the petitioners may implead themselves in the pending writ petition before the Principal Bench and if any interim order with regard to granting any permission is passed by this Court, it would adversely affect the interest of the State since the case is pending before the Principal Seat.

6.However, learned Additional Advocate General fairly conceded that till the SOP is framed by the State Government and placed before the Court and is approved, the State Government and its machineries will not grant any permission for conducting any sort of public meeting, whether political or otherwise in the interests of the welfare of public at large.

7.This Court gave its careful consideration to the submissions advanced by the learned counsel appearing on either side and perused the materials available on

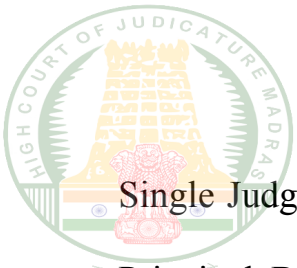


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8.The incident, which has led to the filing of the present writ petitions, has left an indelible imprint in the minds of the common man, which incident has robbed the lives of more than 40 odd people, including children of tender age. The manner in which such permission is granted by the law enforcing agency for conduct of public meetings, to the best knowledge of this Court, is not governed by any law or statute.

9.In this regard, it is transpires that a temporary provision is available under the Tamil Nadu State Highways Act for granting permission subject on payment of rent. However, such provision is not available under the National Highways Act. In such a backdrop, this Court is at a loss to understand as to the source of power, which has been wielded by the district agency/law enforcing agency to grant permission for conduct of public meetings on the State Highways/National Highways is impermissible. When the authority has not power nor could it draw any power from any of the law, which is in force, granting of such permission for the mere asking of a political party for campaigning purposes, has put the lives of numerous individuals in peril, which has since been witnessed through the present incident.

10.However, it is the stand of the learned counsel on either side that a learned



Single Judge of this Court is seized of the matter in W.P. (Crl.) No.884 of 2025 at the Principal Bench, where all the stake holders have been directed to come up with a policy decision for framing SOP with regard to conduct of meetings in public places and the matter has been directed to be taken up on 16.10.2025.

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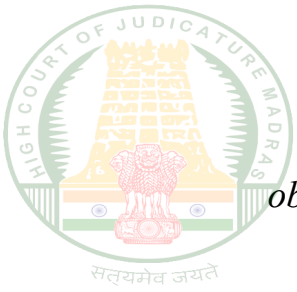
11.In such circumstances, when the issue is already sub judice before a learned single Judge of this Court, passing any order at this stage would be detrimental not only in public interest, but also would affect the interest of the 2nd respondent in W.P.(MD)No.27532 of 2025, 5th & 6th respondents in W.P.(MD)No.27540 of 2025 and 6th respondent in W.P.(MD)No.27541 of 2025 as investigation is under way and also considering the fact that the present order is being passed at the admission stage and, therefore, it is necessary for this Court to safeguard the rights and interests of the 2nd respondent in W.P.(MD)No.27532 of 2025, 5th & 6th respondents in W.P.(MD)No. 27540 of 2025, 6th respondent in W.P.(MD)No.27541 of 2025. Hence, in the fitness of things, this Court, without expressing any opinion on the merits of the issue raised in the present petitions, takes on record the undertaking given by the learned Addl. Advocate General that no permission for conduct of public meetings on the State Highways/National Highways would be granted till such time SOP is framed/finalized by the State Government and approved by this Court.



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12. Accordingly, recording the submission/undertaking of the learned Additional Advocate General appearing for the State, these writ petitions are disposed of with the following directions :-

i) There shall be an interim order directing the respondents and also the other arms of the State Government not to grant any permission to any political party or any other organization including the ruling party for conducting any public meeting in the State and National Highways. Suffice to state that this interim order would not be applicable in respect of the places, which are earmarked for conducting public meetings. Further, the authorities, who are vested with granting permission for conducting public meetings shall be empowered to grant permission only in respect of the places, which are earmarked for the conduct of public meetings and if no other earmarked public meeting place is available, then the District Administration/law enforcing agency shall call upon the organizer of the public meeting to identify the place for the meeting and upon satisfying itself as to the suitability of the place and also keeping in mind that no hindrance to the public would be caused and also free vehicular movement, grant such permission for the meeting upon



obtaining an undertaking from the said political party.

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ii) Where permission is granted by an authority/law enforcing agency to conduct public meetings in places, which have been earmarked for such meetings by issuance of appropriate notification, the authority/law enforcing agency shall ensure that the respective political party/organization adheres to all the safety measures, including providing drinking water, provision of medical facilities inclusive of ambulance at call, proper sanitation facilities, sufficient parking space and other basic necessities;

iii) Further while granting such permission the concerned authority shall ensure that escape routes and exit routes for free vehicular movement, such as ambulance and other vehicles are provided at the designated meeting place and that no obstruction is caused to such free flow of traffic in case instances of the sort, which have arisen as in the present case sprouts up; and

iv) It is further made clear that the authority/law enforcing agency shall obtain necessary undertaking affidavits



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from the person/political party/organization, which intends to conduct such political meeting/meeting till such time SOP is finalised and approved, which shall, of course, be done after consulting all the stake holders.

v)The petitioners herein are granted liberty to seek for their impleadment in W.P. (Crl.) No.884/2025 pending before the Principal Bench of this Court to have the SOP finalized, so that such gruesome incidents does not happen in future when such meetings are conducted by any political party/organization.

There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

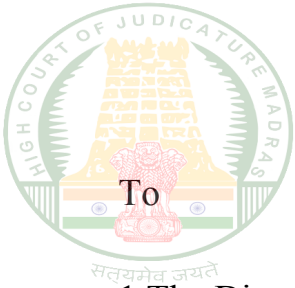
[M.D.I.,J.] & [M.J.R, J.]
03.10.2025

NCC : Yes / No

Index : Yes / No

MR/GLN

Note: Registry to issue a copy of this order by 03.10.2025.



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To

1. The Director General of Police (HOPF),

Dr.Radhakrishnan Salai,

Mylapore, Chennai – 600 004.

2. The Home Secretary,

Secretariat, Chennai 600 009

3. The Chief Election Commissioner,

Election Commission of India,

Nirvachan Sadan, Ashoka Road,

New Delhi - 110 001.

4. The Chief Electoral Officer/Secretariat to Government,

Public(Elections) Department, Secretariat,

St.George Fort, Chennai - 600 009.

5. The Commissioner,

Election Commission of India,

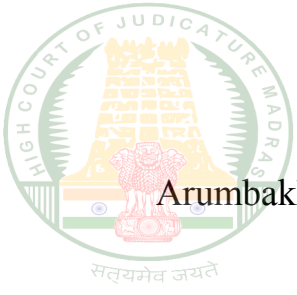
Ashoka Road, New Delhi.

6. The Election Commission of Tamil Nadu,

Rep. by its Commissioner,

No.208/2, Jawaharlal Nehru Road,

16/18



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Arumbakkam, Chennai - 600 106.

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7. The Principal Secretary to the Government,

Secretariat, Fort St.George, Chennai.

8. The Additional Director General of Police(Law and Order),

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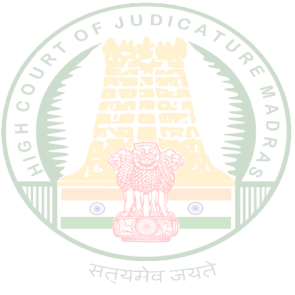
Chennai - 4.

9. The District Collector,

Karur District, Karur.

10. The Superintendent of Police,

Karur District, Karur.



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W.P.(MD)Nos.27532, 27540, 27541 & 275

M.DHANDAPANI,J.
AND
M.JOTHIRAMAN, J.

MR/GLN

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