

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION No.1675 OF 2021

ORDER:

This Writ Petition is filed to declare the action of respondent No.2 in not granting permission to organize a farmers parade in Hyderabad scheduled on 26.01.2021 from Indira Park to People's Plaza on Necklace road by considering the application dated 21.01.2021 submitted by the petitioners, as illegal.

2. Heard Sri V.Raghunath, learned counsel for the petitioners and learned Government Pleader for Home.

3. Learned counsel for the petitioners would submit that the first petitioner herein is the State Secretary of Telangana Rashtra Rythu Sangam, Hyderabad and one of the State Convenors of All India Kisan Sangarsh Co-ordination Committee. The second petitioner herein is a social activist. The said organizations have committed for the protection of rights of the farmers and have been struggling within the constitutional frame work and to espouse the cause of organization with the passage of Farm Bills by the Union of India. They want to organize a protest in solidarity to the farmers' protest in Delhi.

4. He would further submit that in the said course of action, both the petitioners have made an application dated

21.01.2021 to the second respondent with a request to grant permission for parade starting from Indira Park to People's Plaza, Necklace Road or to Nizam College on 26.01.2021. In the said application dated 21.01.2021, it is mentioned that in the parade, motor bikes, four wheelers and some tractors carrying the national flags displaying farmers' produce and highlighting their contribution and their demands for improving the situation of farmers will participate.

5. Learned counsel for the petitioners would further submit that they are expecting 300 vehicles to participate in the event. Despite receiving and acknowledging the application dated 21.01.2021 of the petitioners, the second respondent neither rejected nor accorded the permission. Therefore, the present Writ Petition.

6. Learned Government Pleader for Home, on instructions, would submit that the Joint Commissioner of Police, HFAC Central Zone, Hyderabad City, has rejected the application of the petitioner vide order dated 25.01.2021 on several grounds including the ground that the proposed route is very close to the venue of Republic day parade function i.e., Public Garden. Such a rally on the arterial road during the peak traffic hours with large gathering will throw the traffic out gear and cause traffic jams. There are intelligence inputs of heightened threat from extremist and terrorist organizations concerning the Republic Day Celebrations, etc. With the said reasons,

the request of the petitioners was rejected. The said order was served on the learned counsel for the petitioners today, that too during the course of hearing of the present Writ Petition.

7. In view of the same, learned counsel for the petitioners, on consultation with the petitioners, has given alternative route from Saroornagar Indoor Stadium, L.B.Nagar to Rajiv Gandhi International Cricket Stadium, Uppal. On instructions, he would further submit that only two wheelers and four wheelers will participate and no tractors will participate in the parade. Therefore, he prayed this Court to pass orders directing the Commissioner of Police, Rachakonda Commissionerate to grant permission for the said parade on 26.01.2021 from 2.00 pm to 5.00 pm on imposition of certain conditions and the petitioners will abide by the same. He would further submit that the petitioners will make a representation to the Commissioner of Police, Rachakonda Commissionerate to that effect, giving undertaking that they will take responsibility in the event of any untoward incident during the parade.

8. In view of the above said submission, learned Government Pleader for Home, on instructions, would submit that the Commissioner of Police, Rachakonda Commissionerate will grant permission to the petitioners on imposition of certain conditions.

9. In view of the said submissions, this Writ Petition is disposed of granting liberty to the petitioners to make an application to the Commissioner of Police, Rachakonda Commissionerate with a request to accord permission to conduct parade on 26.01.2021, and on receipt of such application, the Commissioner of Police, Rachakonda Commissionerate, is directed to consider the same and accord permission to the petitioners to conduct parade on 26.01.2021 from 2.00 pm to 5.00 pm from Saroornagar Indoor Stadium, L.B.Nagar to Rajiv Gandhi International Cricket Stadium, Uppal, on imposition of certain reasonable conditions. In the said application, the petitioners shall specifically mention about the undertaking to the effect that they will take responsibility in the event of any untoward incident during the parade and that they will not permit the tractors to participate in the parade.

10. With the said directions, this Writ Petition is disposed of. Miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

K. LAKSHMAN, J

Date: 25.01.2021
Note: Issue CC today.
B/o. TJMR