

WP(MD)No.13455 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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RESERVED ON : 29.08.2025

DELIVERED ON : 17.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

WP(MD)No.13455 of 2025

P.Ayyakannu

: Petitioner

Vs.

1.Union of India,
Rep. by its Secretary,
Ministry of Home Affairs,
North Block, Central Secretariat,
New Delhi.

2.The Commissioner of Police,
Police Head Quarters,
New Delhi.

3.The Government of Tamil Nadu,
Rep. by its Secretary,
Home Department,
St.George Fort, Chennai.

4.The Director General of Police,
Government of Tamil Nadu,
Chennai.

: Respondents



WP(MD)No.13455 of 2025

PRAYER: Petition filed under Article 226 of the Constitution of India

seeking issuance of a Writ of Mandamus forbearing the respondents in any manner from interfering with the free movement of the petitioner and their members to go to New Delhi.

For Petitioner : Mr.S.Muthukrishnan

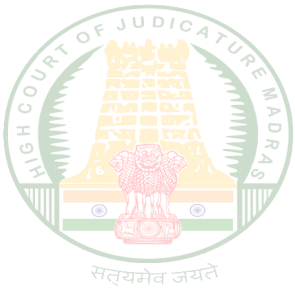
For Respondents: Mr.K.Govindarajan,
Deputy Solicitor General of India
for R.1

Mr.F.Deepak,
Special Government Pleader
for R.3

Mr.E.Antony Sahaya Prabhakar,
Additional Public Prosecutor
for R.4

ORDER

The petitioner, Ayyakannu, is the President of an organisation formed for the welfare of farmers and for promoting river water linkage. He has approached this Court seeking issuance of a writ of mandamus forbearing the respondents in any manner from interfering with the free movement of the petitioner and his members to go to New Delhi.

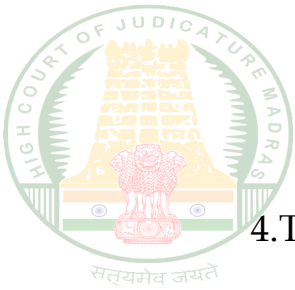


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2.Learned Counsel for the petitioner submitted that the petitioner and his members travelled to New Delhi on more than one occasion, but they were deboarded from the train despite holding valid tickets. In September 2024, when they boarded the train at Trichy Junction bound for New Delhi, they were deboarded at Chengalpattu Railway Station. On another occasion, they were deboarded at a Railway Station in Madhya Pradesh. It is contended that such actions were deliberately taken to prevent the petitioner from proceeding to New Delhi to conduct a peaceful demonstration.

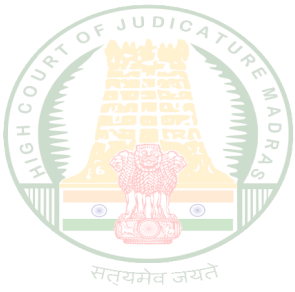
3.It was further submitted that the petitioner had faced similar obstructions earlier. In the years 2015 and 2016, he was prevented from travelling, which compelled him to file writ petitions before this Court in WP(MD)No.16079 of 2015 and WP(MD)No5281 of 2016. Those petitions were allowed, affirming his right under Article 19 of the Constitution. Notwithstanding such orders, he is being prevented even now.



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4.The petitioner highlighted his history of public protests. He had conducted a demonstration at Jandar Mandir, New Delhi, for 141 days, thereby creating awareness among farmers across India and drawing the attention of the Union Government. His association organised a farmers' awareness march from Kanyakumari to Chennai in March 2018 lasting 100 days. He also formed a co-ordination committee with 190 farmers' associations across India and conducted a farmers' rally at New Delhi Parliament Street on 20.11.2017, which attracted national attention. According to the petitioner, the State and Central Governments have jointly acted to prevent him from conducting such agitations by obstructing his travel.

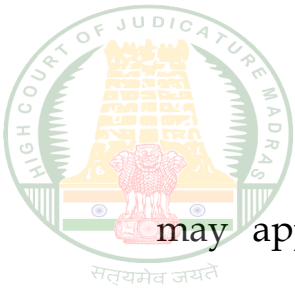
5.The petitioner had also approached the Hon'ble Supreme Court by filing a writ petition in WP(Civil).No.273 of 2025 seeking relief against such obstruction. That petition was dismissed, by order dated 22.04.2025, with an oral observation granting liberty to approach the appropriate High Court. Hence, the present writ petition has been filed.



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6.The Commissioner of Police, Trichy, has filed a counter affidavit. It is stated that the petitioner conducts protests without prior permission, and even when permission is granted, he violates the conditions imposed. It is alleged that he instigates his members by using masks of the Prime Minister's face, conducts fasts involving senior citizens thereby endangering their lives, participates in public meetings in half-naked attire causing public nuisance, and uses human skulls and bones as garlands in public protests, frightening children and women. One member of his association, Rajendran, popularly known as "Mandaiodu Rajendran", is said to have used such garlands.

7.It is further alleged that the petitioner instigates his members to climb cellphone towers, plunge into the Cauvery River, bury themselves up to the neck in river sand, climb the Rock Fort Temple and Karthigai Deepam Tower, and even lie near burning dead bodies in cremation grounds. It is reported that 73 cases have been registered against the petitioner. It is further stated that while the petitioner's professed motive

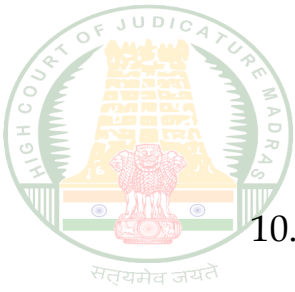


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may appear legal, his methods amount to public nuisance, with the underlying objective being to draw public attention.

8.Learned Additional Public Prosecutor submitted that while the petitioner is entitled to free movement under Article 19 of the Constitution, however, such right is subject to reasonable restrictions. The State has the bounden duty of maintaining law and order and preventing offences. It was further contended that the petitioner habitually violates conditions of permission and creates law and order issues. Reliance was placed on earlier orders of this Court in WP.No.33758 of 2013, dated 13.12.2013 [Naam Tamilar Katchi v. Superintendent of Police, Namakkal and Others] to submit that law-enforcing authorities are the best judges of a situation. It was also emphasised that fundamental rights must be balanced with fundamental duties.

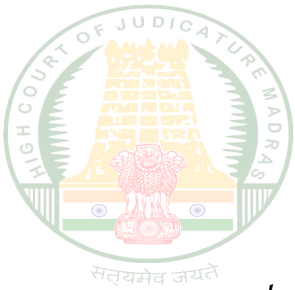
9.This Court has considered the rival submissions made on either side and perused the materials placed on record.



10.The petitioner has averred that he was prevented from travelling in trains despite having valid tickets. However, he has not furnished specific dates regarding the alleged incidents in September 2024. The second respondent has also pointed out that the petitioner, his wife, and his son are Advocates, yet no legal proceedings were initiated at the relevant time. On such vague averments, it is difficult for this Court to issue a general mandamus.

11.At the same time, this Court cannot fail to recall that Mahatma Gandhi himself was once deboarded from a train despite holding a valid ticket. That incident became the turning point which inspired a movement, ultimately securing freedom for this nation. It is to ensure such freedom, our Constitution now guarantees fundamental rights. Among them, the right to move freely, to assemble peacefully, and to voice grievances under Articles 19(1)(a), (b) and (d) form the very core of democratic participation.

12.In *Anita Thakur and Others vs. Government of Jammu and Kashmir* [(2016) 15 SCC 525], the Hon'ble Supreme Court observed:

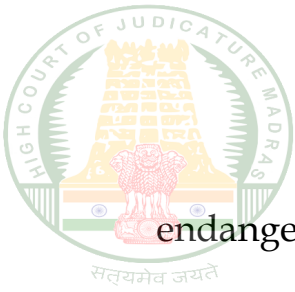


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“An unarmed, peaceful protest procession in the land of ‘salt satyagraha’, fast-unto-death and ‘do or die’, is no jural anathema. A distinguishing feature of any democracy is the space offered for legitimate dissent. One cherished aspect of Indian political life is the tradition of expressing grievances through peaceful protest. Organised, non-violent protest marches were a key weapon in the struggle for independence, and the right to peaceful protest is recognised as a fundamental right in the Constitution.”

13. Sections 55, 56, and 156 of the Railways Act, 1989, empower Railway authorities to deboard persons only in limited circumstances, viz., travelling without a ticket, suffering from infectious disease, or travelling in unauthorised parts of the train. None of these provisions permits deboarding of a passenger holding a valid ticket merely because he intends to protest. If such deboarding occurs, it would amount to an offence for which action must be taken against the concerned officials.

14. Having said that, the right to movement and protest is not absolute. Citizens are equally bound by their fundamental duties. The petitioner’s methods of agitation, including climbing cellphone towers,



endangering lives of senior citizens, or using skulls and bones in public protests, are not compatible with lawful protest. The law requires prior permission before conducting demonstrations, and when such permission is granted, conditions must be respected.

15. In the present case, the petitioner has failed to provide particulars of the alleged deboarding incidents. Being an Advocate, he could have taken immediate recourse to law at the relevant time, before the appropriate forum. In the absence of specific material, this Court cannot issue directions in general terms.

16. Accordingly, while reiterating that the petitioner's right to free movement and peaceful protest is guaranteed under the Constitution, this Court also holds that such rights are subject to reasonable restrictions. The petitioner is bound to obtain prior permission and conduct protests in accordance with law. The authorities, on their part, are not entitled to arbitrarily prevent him from travelling when he holds valid tickets. If any such obstruction occurs, the petitioner has liberty to initiate appropriate



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legal proceedings against the concerned officials in the manner known to

law.

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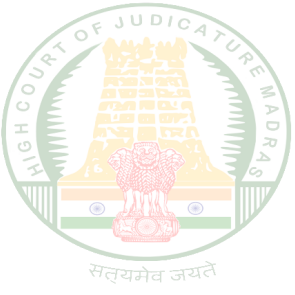
With the above observations, this writ petition is disposed of. No costs.

Internet : Yes
gk

17.09.2025

To

- 1.The Secretary to Government, Union of India,
Ministry of Home Affairs,
North Block, Central Secretariat,
New Delhi.
- 2.The Commissioner of Police,
Police Head Quarters,
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B.PUGALENDHI, J.

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