

Madras High Court

M.Gnanasekar vs 6 The Joint Commissioner Of ... on 1 April, 2021

W.P.No.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY
W.P.No.8689 of 2021

M.Gnanasekar

... petition

Vs

- 1 The Chief Election Commissioner of India
Nirvachan Sadan Ashoka Road
New Delhi-110 001.
- 2 The State Election Commissioner
Jai Nagar
Koyambedu Chennai- 600 106.
- 3 The Chief Secretary
Government of Tamil Nadu Secretariat
Fort St George, Chennai- 600 009.
- 4 The Transport Commissioner
And State Transport Authority Transport
Department Ezhilagam Chennai- 600 009.
- 5 The Director General of Police
Santhome high Road Mylapore
Chennai- 600 004.
- 6 The Joint Commissioner of Traffic
Beach Road Parrys George Town
Chennai- 600 001. ... respond

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus forbearing the respondents from preventing the people of Tamil Nadu from using the Roads in the name of political campaigns by the Political leaders and permit free flow of traffic to public during the Tamil Nadu State Election to the legislative Assembly.

For Petitioner : Mr. M. Gnanasekar,
Party-in-person

For Respondents : Mr. Niranjan Rajagopalan,
for respondents 1 and 2

Mr. V. Jayaprakash Narayanan,
State Government Pleader,
for respondents 3 to 6

ORDER

(made by the Hon'ble Chief Justice) The public interest litigation pertains to a solitary incident. The petitioner alleges that on March 28, 2021, some roads were closed to make room for the Chief Minister to pass en route to a campaign meeting.

2. The petitioner says that even if special arrangements need to be made for VIPs on the ground of security, the ordinary citizens should not be made to suffer.

_____ <https://www.mhc.tn.gov.in/judis/> W.P.No.8689 of 2021

3. The sentiment is shared all round that common citizens are inconvenienced by being required to wait for hours together because of VIP movement. At times, it is even doubtful whether the persons who are accorded such special treatment are entitled thereto or whether there are any security concerns pertaining to them.

4. However, since the petition reflects a solitary incident, it may have been more of an aberration than the practice. There is no doubt that the Chief Minister should have the right of way and the security concerns surrounding the post demand that Chief Ministers car not be stalled in traffic. Equally, the local police authorities should ensure that ordinary citizens are not put to great inconvenience or entire stretches of roads are prohibited from use or the traffic at crossings are stopped for any great length of time in connection with any VIP movement.

5. The Director-General of the State Police and the Commissioners of Police in the city commissionerates should ensure the least inconvenience to ordinary citizens during VIP movement unless the high dignitaries are of the status of, say, the President or the Prime Minister of India.

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6. W.P.No.8689 of 2021 is disposed of. Mr.Jayaprakash Narayanan, learned State Government Pleader, has accepted notice on behalf of the State respondents. This order will be communicated to the appropriate police authorities for necessary follow-up action. There will be no order as to costs.

(S.B., CJ.) (S)
01.04.2021

Index : yes/no
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<https://www.mhc.tn.gov.in/judis/> W.P.No.8689 of 2021 To:

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- 3 The Chief Secretary Government of Tamil Nadu Secretariat Fort St George, Chennai- 600 009.
- 4 The Transport Commissioner And State Transport Authority Transport Department Ezhilagam Chennai- 600 009.
- 5 The Director General of Police Santhome high Road Mylapore Chennai- 600 004.
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_____ <https://www.mhc.tn.gov.in/judis/> W.P.No.8689 of 2021 THE HON'BLE CHIEF JUSTICE AND SENTHILKUMAR RAMAMOORTHY, J.

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