

APHC010452482025



**IN THE HIGH COURT OF ANDHRA PRADESH  
AT AMARAVATI  
(Special Original Jurisdiction)**

**[3457]**

FRIDAY, THE TWENTY NINETH DAY OF AUGUST  
TWO THOUSAND AND TWENTY FIVE

**PRESENT**

**THE HONOURABLE SRI JUSTICE HARINATH.N**

**WRIT PETITION NO: 22944/2025**

**Between:**

1.VISWA HINDU PARISHAD, NEAR MUNICIPAL ROAD, ADONI. REP.  
BY ITS DISTRICT PRESIDENT, ARDHAGERI BASAVANA GOUD.

**...PETITIONER**

**AND**

1.THE STATE OF ANDHRA PRADESH, REP. BY IT'S PRINCIPAL  
SECRETARY (MA AND UD), SECRETARIAT BUILDINGS,  
VELAGAPUDI, AMARAVATHI.

2.THE ADONI MUNICIPALITY, ADONI MANDALAM,KURNOOL  
DISTRICT. REP. BY IT'S MUNICIPAL COMMISSIONER.

3.THE DEPUTY SUPERINTENDENT OF POLICE, KURNOOL DIVISION,  
KURNOOL.

4.THE STATIONHOUSE OFFICER, I TOWN PS, KURNOOL.

5.THE STATION HOUSE OFFICER, II TOWN PS, KURNOOL.

**...RESPONDENT(S):**

**Counsel for the Petitioner:**

1.J.V.PHANIDUTH

**Counsel for the Respondent(S):**

1.GP FOR HOME

2.GP FOR MUNICIPAL ADMN URBAN DEV

**The Court made the following:**

**Order:-**

The petitioner is aggrieved by the denial of permission by Respondent Nos. 2 and 3 for the procession of the Lord Vinayaka idols for immersion in the canal via Arts College, Srikrishna Devalayam, Emmiganur Circle, Sri Anantha Mangala Anjaneyaswamy Temple, Nirmala Talkies, II Town Police Station, Srinivasa Bhavan, and Kotta Bridge in Adoni Town. It is submitted that the procession with the idols for immersion has been following the same route for the last thirty years.

2. It is submitted that since the last two years, the respondent authorities are causing inconvenience by imposing unwarranted restrictions and diverting the route of the procession through a narrow 15 feet road, which is making it impossible for the petitioner to pass through such narrow routes with some idols that are above 15 feet in height. The same was brought to the notice of the respondent authorities; however, no action has been taken to facilitate the petitioner to take out the procession for immersion on the route that has been followed for the last twenty to thirty years. In this regard, the petitioner submitted a representation dated 26.08.2025. It is also submitted that no response has been received from any of the respondents.

3. The learned Assistant Government Pleader appearing for the 3<sup>rd</sup> respondent submits that the police conducted a coordination meeting with all concerned parties and issued the route map to be followed. Additionally, the 3<sup>rd</sup> respondent has submitted written instructions to the learned Assistant Government Pleader and referred to an incident that occurred on 05.09.2011.

It is alleged that during the procession on 05.09.2011, communal clashes took place between two different communities near the Madina Mosque. As a result, a curfew was imposed in Adoni town, and 39 communal riot cases were registered in Adoni town.

4. The learned Standing Counsel for Adoni Municipality submits that the route map was also followed since the year 2004; however, keeping in view the coordination meeting between all the concerned, the competent authority is the 3<sup>rd</sup> respondent who has to accord permission.

5. The learned counsel for the petitioner further submits that the procession would start today depending on the viability of the Ganesh Pandal operators and would ultimately culminate by 10.09.2025.

6. The learned counsel for the petitioner places reliance on the judgment of the Hon'ble High Court of Judicature at Madras passed in W.A. Nos. 743 and 2064 of 2019. The Hon'ble Division Bench of the Madras High Court considered a similar situation and passed the following directions at Para No. 26, which read as follows:

*26. Hence, it is hereby declared,*

*1. Once it has been declared by the authorities as roads or streets as per Section 180-A of the District Municipalities Act, the roads and streets which are "secular", should be used as roads by all the people irrespective of their religion, caste or creed.*

*2. Any procession including religious procession shall be conducted through all the roads and streets without any restriction.*

*3. Any procession including religious procession cannot be prohibited or curtailed merely because another religious group is residing or doing business in the area predominantly.*

*4. There cannot be a prohibition for any procession including religious processions through roads by the District administration or police authorities and there can be only regulation by the police or other Government authorities to see that no untoward incident occurs or any law and order problem arises.*

*5. Every religious group has got fundamental right to take out religious procession through all the roads without insulting the other religious sentiments and without raising any slogans against other religious groups, affecting their sentiments, public law and order.*

*6. Merely because there is one place of worship belonging to other religious group, the group, the same cannot be a ground cannot be a ground to to decline/deny permission to conduct procession including religious procession of other religions to go through those roads or streets.*

*7. The presence of religious structures/places of worship cannot take away the right of other religious groups who have been enjoying all the rights including the conduct of religious procession for the past many years.*

*8. The criminal cases filed both the parties are directed to be withdrawn.*

7. Considering the submissions of the learned counsel for the petitioner, the learned Standing Counsel for the 2<sup>nd</sup> respondent, and the learned Assistant Government Pleader for respondent Nos. 3 to 5, there shall be a direction to the 2<sup>nd</sup> respondent, Deputy Superintendent of Police, Adoni Division, Kurnool district, the Station House Officer, I Town Police Station, Adoni, and the Station House Officer, II Town Police Station, Adoni, to facilitate the petitioner in carrying out the procession of the Lord Vinayaka idols for immersion in the canal via Arts College, Srikrishna Devalayam, Emmiganur Circle, Sri Anantha Mangala Anjaneyaswamy Temple, Nirmala

Talkies, II Town Police Station, Srinivasa Bhavan, and Kotta Bridge. It is made clear that the 2<sup>nd</sup> respondent, Deputy Superintendent of Police, Adoni Division, Kurnool district, the Station House Officer, I Town Police Station, Adoni, and the Station House Officer, II Town Police Station, Adoni, shall take necessary steps to ensure peaceful procession and, if need be, deploy adequate personnel and machinery to ensure the peaceful procession and subsequent immersion. The respondents may also install cameras or record the procession to monitor the procession and keep an eye on the trouble mongers.

8. Accordingly, this Writ Petition is disposed off. There shall be no order as to costs.

9. Pending miscellaneous petitions, if any, shall stand closed.

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**JUSTICE HARINATH.N**

Date:29.08.2025

Note: Issue CC by 29.08.2025

B/o.

PNS