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IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE B M SHYAM PRASAD

WRIT PETITION NO. 4513 OF 2026 (GM-POLICE)

BETWEEN:

1. SHRI NAVEEN R
S/O LATE RAMACHANDRA SHENOY
AGED ABOUT 66 YEARS
RESIDING AT NO 768, 3RD C MAIN,
2ND CROSS, NEAR GOVT. SCHOOL,
MUNESHWARA LAYOUT LAGGERE,
BENGALURU NORTH,
PEENYA SMALL INDUSTRIES,
BENGALURU - 560058.
2. CENTRE FOR INDIAN TRADE UNIONS (CITU)
KARNATAKA STATE COMMITTEE
(A RECOGNIZED CENTRAL TRADE UNION)
REPRESENTED BY ITS GENERAL
SECRETARY SURI BHAVANA,
NO. 40/5, 2ND B MAIN, 16TH CROSS,
SAMPANGI RAMNAGARA,
BENGALURU - 560027.

...PETITIONERS

(BY SRI. L MURALIDHAR PESHWA.,ADVOCATE)





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AND:

1. STATE OF KARNATAKA
DEPARTMENT OF HOME
(REPRESENTED BY
ITS ADDITIONAL CHIEF SECRETARY)
ROOM NO. 222, II FLOOR,
VIDHANA SOUDHA,
BENGALURU - 560001.
 2. ASSISTANT COMMISSIONER OF POLICE
MALLESWARAM SUB DIVISION
2ND MAIN ROAD, NAGAPURA,
WEST OF CHORD ROAD, STAGE 2,
MAHALAKSHMIPURAM,
BENGALURU, KARNATAKA, 560086.
...RESPONDENTS
- (BY SMT.SARITHA KULKARNI., AGA)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECTION TO SET ASIDE THE IMPUGNED ORDER DATED 04-02-2026, AT ANNEXURE - D, BEARING NO. ACP 1/S.B/DHVA.VA/08/2026 AS THE SAID ORDER SUFFERS FROM ERRORS APPARENT ON THE FACE OF THE RECORD, AND IS ILLEGAL, UNCONSTITUTIONAL, ARBITRARY, MANIFESTLY ERRONEOUS AND AGAINST THE WELL-ESTABLISHED PRINCIPLES OF LAW;
2. ISSUE A WRIT OF MANDAMUS OR APPROPRIATE DIRECTION DIRECTING THE RESPONDENT NO. 2 TO DULY CONSIDER THE APPLICATION SUBMITTED BY THE AT PETITIONERS AT ANNEXURE C TO CONDUCT



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THE MOBILE AWARENESS CAMPAIGN ABOUT THE 12-02-2026 ALL INDIA GENERAL STRIKE THROUGH MOBILE PUBLIC ADDRESS SYSTEMS, SUBJECT TO SUCH REASONABLE CONDITIONS AS THIS HON'BLE COURT.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD

ORAL ORDER

The second petitioner is a *Trade Union* and the first petitioner is its *President*. The petitioners' grievance is with the second respondent's Endorsement dated 04.02.2026 [*Annexure-D*]. The second respondent has rejected the petitioners' application to use loudspeakers on two autorickshaws to create awareness amongst the residents of Malleshwaram, Bengaluru about the protest that the second petitioner has organised. The second respondent has reasoned that the petitioners cannot be permitted to use autorickshaws with



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loudspeakers because his Sub-division has educational institutions, hospitals, *No Honking Zones* and because senior citizens and persons who do not feel well reside in the area.

2. Sri L Muralidhar Peshwa, the learned counsel for the petitioners, submits that the decision to reject the petitioners' application without even considering whether the conditions could be imposed is arbitrary, and in support of this canvass, the learned counsel relies upon the different permissions granted by the Assistant Commissioners of Police of other Sub-Divisions. The learned counsel submits that though the request is for using autorickshaws on 10.02.2026 and 11.02.2026, this Court may, in the circumstances, direct the second respondent to permit the petitioners to have the use of loudspeakers on the two autorickshaws on conditions that are reasonable. Smt Saritha Kulkarni, the learned



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Additional Government Advocate, is heard in the light of these circumstances.

3. On perusal of the permissions granted by the Assistant Commissioners of Police of the other Sub-divisions, it cannot be gainsaid that the petitioners have been permitted to carry out similar campaigns in other Sub-divisions but on the conditions such as that:

[a] the petitioners must ensure that these autorickshaws do not obstruct traffic,

[b] the petitioners must bear all the expenses that could be incurred in ensuring police protection,

[c] the autorickshaws do not ply around either educational institutions or hospitals,

[d] the petitioners must only use box loudspeakers and not DJs,



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[e] the petitioners must ensure that no defamatory material is put out on the loudspeaker,

[f] there is compliance with the regulations on noise pollution, and

[g] the petitioners must ensure that the autorickshaws do not ply beyond 10 pm.

4. This Court, in the circumstances of the case, is persuaded to opine that a campaign to create awareness [*a facet of any democratic process*] cannot be restricted unreasonably and that the second respondent's impugned Endorsement has the colour of an unreasonableness because he has not examined the circumstances such as the other Assistant Commissioners of Police permitting a similar request and the stipulations that must be. As such, the following:



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ORDER

- [a] The petition stands disposed of.
- [b] The second respondent is directed to permit the petitioners to have the use of two autorickshaws on 12.02.2026 with loudspeakers on conditions that are referred to above.
- [c] The petitioners are reserved with liberty to file a certified copy of this order with the second respondent, calling upon the second respondent to issue appropriate orders forthwith.

**SD/-
(B M SHYAM PRASAD)
JUDGE**

AN/-