

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)**

MONDAY, THE TWENTY THIRD DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

WRIT PETITION NO: 5581 OF 2026

Between:

Poonam Chand Sharma, S/o. Late Raj Kumar Sharma Aged about 45 years Occ.
Priest R/o H.no 23-5-248, Laldarwaza Panchmukhi hanuman temple, Shalibanda,
Hyderabad, TG-500065.

...PETITIONER

AND

1. The State of Telangana, Home Department, Rep by its Principal Secretary, Secretariat, Hyderabad.
2. The Director General of Police, Telangana State, Hyderabad.
3. The Commissioner of Police, Hyderabad, Hyderabad District.
4. The Deputy Commissioner of Police, South zone, Hyderabad.
5. The Assistant Commissioner of Police, Chatrinaka Division, Hyderabad.
6. The Circle Inspector Of Police, Chatrinaka Police Station, Hyderabad.
7. The Station House Officer, Chatrinaka Police Station, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to direct the respondent writ of Mandamus declaring the action of respondents no 6-7 In rejection of grant of permission to conduct Shree Shyam baba Nishan yatra, Highly Illegal, arbitrary Unconstitutional, Violation of Principles of Natural justice and also in violation of Articles 14,19,21, 25, 26(b) of the Constitution of India, Consequently direct the Respondent 6 and 7 to grant permission to the Petitioner's application 01-02-2026 vide Application 15210102261559328091 which was applied under caption for Permission for

Event Bandhobust' direct the respondents to grant permission for conducting said Shree Shyam Baba Nishan Yatra religious procession on 27-02-2026.

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondent No 6 and 7 to Grant Permission to the Petitioners application dated 01-02-2026 vide Application no. 15210102261559328091 which was applied under caption for Permission for Event Bandhobust and direct the respondents to grant permission for conducting said Shree Shyam Baba Nishan Yatra religious procession on 27-02-2026.

Counsel for the Petitioner : SRI UDIT NARAYAN DHOTRE

Counsel for the Respondents: SRI M.SRINIVAS, AGP FOR HOME

The Court made the following: ORDER

**IN THE HIGH COURT FOR THE STATE OF
TELANGANA AT HYDERABAD**

THE HONOURABLE SRI JUSTICE E.V.VENUGOPAL

W.P.No.5581 of 2026

Date: 23-02-2026

Between:

Poonam Chand Sharma

...petitioner

AND

The State of Telangana, rep. by its Principal Secretary,
Department of Home, Dr. B.R. Ambedkar Bhavan,
Secretariat, Hyderabad and 6 others.

...respondents

ORDER

This Writ Petition is filed under Article 226 of the
Constitution of India, seeking the following relief/s:-

“.....to declare the action of the
respondents nos. 6-7 in rejection of grant of
permission to conduct Shree Shyam Baba Nishan
Yatra, as highly Illegal, arbitrary unconstitutional,
violation of principles of natural justice and also in
violation of Articles 14, 19, 21, 25, 26 (b) of the
Constitution of India, and consequently direct the
Respondent Nos.6 and 7 to grant permission to the

Petitioner's application dated 01-02-2026 vide Application 15210102261559328091 which was applied under caption for Permission for Event Bandhobust and direct the respondents to grant permission for conducting said Shree Shyam Baba Nishan Yatra religious procession on 27-02-2026, and pass such other orders."

2. Heard Sri Udit Narayan Dhotre, learned counsel for the petitioner and Sri M. Srinivas, learned Assistant Government Pleader Home, appearing for the respondents. Perused the material available on record.

3. Learned counsel for the petitioner submits that the petitioner is a religious priest and that his family, along with members of the community, conducts various religious programmes every year. One such programme is the 'Shree Shyam Baba Nishan Yatra' (for brevity, "the Yatra"), which is conducted in the month of February on the day of 'Phalguna Ekadashi'. The Yatra is a small religious procession involving the participation of around 50-70 people, who walk while singing bhajans, carrying colourful flags and a photograph of Lord Shree Shyam Baba placed on a horse chariot and proceed to the Shree

Shyam Baba Temple situated at Kachiguda. The said Yatra commences from the Laldarwaza area and culminates at the Shyam Baba Temple, Kachiguda.

4. Learned counsel for the petitioner would further submit that the petitioner made an appropriate application on 01.02.2026 before respondent Nos.6 and 7, vide Application No.15210102261559328091, seeking permission to conduct the said event with necessary police bandobust, as the petitioner intends to ensure that no untoward incident occurs during the Yatra. However, the respondents have not acted upon the said application, thereby necessitating the petitioner to file the present Writ Petition.

5. Opposing the said submissions, the learned Assistant Government Pleader for Home, appearing for the respondents, would submit that, on earlier occasions involving similar processions, certain violations had occurred, which necessitated the registration of a criminal case in Crime No.112 of 2025 under Sections 285, 292 and 223(a) of the Bharatiya Nagarik Suraksha Sanhita,

and Section 21(1)(f)(ii) and (ii-a) of the Hyderabad City Police Act against the organizers. The said case is presently pending adjudication before the jurisdictional Trial Court.

6. At this juncture, he would place reliance upon the judgment of the Hon'ble Supreme Court in **Ramlila Maidan Incident v. Home Secretary, Union of India and others**¹, wherein it was reiterated that maintenance of law and order constitutes a legitimate ground for imposing reasonable restrictions on assemblies. Taking into account the earlier incidents, he would further submit that permitting such a procession would pose a serious risk to public safety, as there exists every likelihood of similar violations recurring. Placing reliance on the Constitution of India, particularly Article 25 thereof, he would contend that though freedom of religion is guaranteed, the same is expressly made subject to public order, morality and health. He would therefore submit that granting permission for the proposed procession along the requested route is likely to cause

¹ (2012) 5 SCC 1

serious disruption to public order, traffic movement and general safety.

7. He would further submit that the case of the petitioner may fall within the same category. However, he would contend that the petitioner's application is still pending consideration and that an appropriate decision shall be taken after convening a meeting with the petitioner and other stakeholders, in the presence of respondent Nos.3 and 4, as well as other higher officials concerned. Upon such deliberations, a suitable decision would be taken by the respondent-police authorities in accordance with law. Hence, he would seek that appropriate orders be passed in the present Writ Petition.

8. Having regard to the submissions made by the learned counsel appearing for all the parties and upon consideration of the material available on record, this Court is of the considered view that, admittedly, the petitioner submitted an application bearing No. 15210102261559328091 seeking permission to conduct the Shree Shyam Baba Nishan Yatra, a religious procession, with necessary police bandobust, which was

received by the respondent police on 01.02.2026. On the other hand, the learned Assistant Government Pleader submitted that the petitioner's request is under consideration and that a suitable decision would be taken after due deliberation with all the concerned authorities. In such circumstances, this Court deems it appropriate to direct the 4th respondent to examine the petitioner's application meticulously, taking into consideration whether any crime has been registered against the petitioner and whether the organization of similar events in the past has resulted in any disturbance to public order and law and order. The 4th respondent shall, after convening a meeting with the petitioner in the presence of the higher officials concerned and affording an opportunity of hearing to the petitioner and other stakeholders, take an appropriate decision expeditiously and pass a reasoned order. While doing so, the respondents shall bear in mind the mandate of the Constitution of India, particularly Articles 25 and 19(1)(d) and 19(1)(g) and ensure that the decision is taken in the

interest of maintaining public peace and order, strictly in accordance with law.

9. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

10. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

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SD/-U.SUDHA
ASSISTANT REGISTRAR

SECTION OFFICER

To,

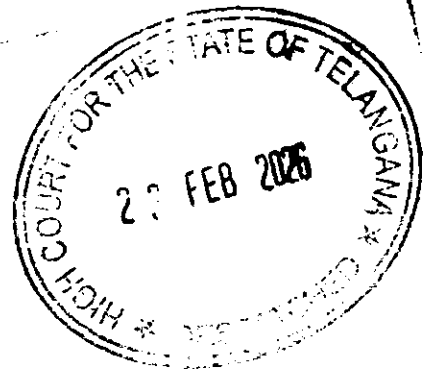
1. The Principal Secretary, State of Telangana, Home Department, Secretariat Hyderabad.
2. The Director General of Police, Telangana State, Hyderabad.
3. The Commissioner of Police, Hyderabad, Hyderabad District.
4. The Deputy Commissioner of Police, South zone, Hyderabad.
5. The Assistant Commissioner of Police, Chatrinaka Division, Hyderabad.
6. The Circle Inspector Of Police, Chatrinaka Police Station, Hyderabad.
7. The Station House Officer, Chatrinaka Police Station, Hyderabad.
8. One CC to SRI UDIT NARAYAN DHOTRE, Advocate. [OPUC]
9. Two CCs to GP FOR HOME, High Court for the State of Telangana. [OUT]
10. Two CD Copies.

BSK
/

HIGH COURT

DATED:23/02/2026

CC TODAY



ORDER

WP.No.5581 of 2026

**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

18
23/02/26
D.S