



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

[3521]

THURSDAY, THE NINETEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

WRIT PETITION NO: 4587/2026

Between:

1. BODE RAMACHANDRA YADAV, AGED ABOUT 42 YEARS, PRESIDENT OF BHARATHA CHAITANYA YUVAJANA PARTY, S/O BODE MUNEPPA, OCCUPATION. PRESIDENT OF A POLITICAL PARTY, RIO D.NO. 31-39/9, SRI SUNANDA NILAYAM, KOTHA INDLU, LIC COLONY, PUNGANUR, CHITTOOR DISTRICT, ANDHRA PRADESH- 517247

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY, DEPARTMENT OF HOME, A.P.STATE SECRETARIAT, VELAGAPUDI, GUNTUR DISTRICT-522237
2. THE DIRECTOR GENERAL OF POLICE, A.P.POLICE HEADQUARTERS, MANGALAGIRI, GUNTUR DISTRICT, ANDHRA PRADESH-522503
3. THE SUPERINTENDENT OF POLICE, GUNTUR DISTRICT, ANDHRA PRADESH-522004
4. THE DEPUTY SUPERINTENDENT OF POLICE, MANGALAGIRI DIVISION, GUNTUR DISTRICT, ANDHRA PRADESH-522503
5. THE CIRCLE INSPECTOR OF POLICE, GUNTUR DISTRICT, ANDHRA PRADESH-522003
6. THE SUBINSPECTOR OF POLICE, MANGALGIRI RURAL POLICE STATION, GUNTUR DISTRICT, ANDHRA PRADESH-522503

...RESPONDENT(S):

Counsel for the Petitioner:

1. UMESH CHANDRA P V G

Counsel for the Respondent(S):

1. GP FOR HOME

The Court made the following:

ORDER:

The Writ Petition has been filed under Article 226 of the Constitution of India seeking the following relief:-

“...to issue an appropriate writ or any other order or direction particularly one in the nature of writ of mandamus to declare the action of Respondent Authorities in not responding to the representation made by the Petitioner by Respondent No 3 dated 05 02 2026 and pending the application is as Violative of Articles of the Constitution of India and consequently direct Respondent Authorities specifically Respondent No 3 to Respondent No 6 to make necessary arrangements and allow the petitioner to conduct the meeting peacefully on 22 02 2026 at the venue Ground opposite to Acharya Nagarjuna University Mangalagiri Guntur District to secure the ends of justice and to pass....”

2. Heard the erudite submissions of Sri Y.V. Ravi Prasad, learned Senior Counsel appearing on behalf of Sri Umesh Chandra, learned Counsel for the Petitioner, and Smt. A.Jayanthi, the learned Government Pleader for Home.

3. Sri Y.V.Ravi Prasad, the learned Senior Counsel espousing the Petitioner's cause, strenuously contends that the Petitioner is vested with an inviolable fundamental right enshrined under Article 19(1)(b) of the Constitution of India to convene a public convocation on 22.02.2026 at the delineated locus. Learned Senior Counsel elucidates that various representations were dispatched to Respondent No.3 on 05.02.2026, 10.02.2026, and 12.02.2026, yet these supplications have been perfunctorily ignored, notwithstanding their iterative persistence.

4. *Per contra*, Smt. A.Jayanthi, the learned Government Pleader for Home, rejoins that the Petitioner labors under the incubus of 21 criminal prosecutions pendente lite. She posits the manifest impracticability for Respondent No.3 to orchestrate the profuse logistical sinews implored by the Petitioner. Respondent No.3 harbors apprehensions that the Petitioner and his acolytes may fulminate with vituperative and calumnious oratory, precipitating a cascade of law-and-order perturbations. The proposed venue, contiguously abutting the National Highway, imperils vehicular flux with prospective obstructions. Concurrently, constabulary deployments are inexorably committed to securitization *vis-à-vis* ongoing scholastic examinations and legislative sittings. The Petitioner, in antecedent iterations, engendered egregious disruptions concomitant with prior sanction. Ergo, the custodians of order foresee Sisyphean exertions in reining the convocation. Accordingly, dismissal of the instant petition is fervently canvassed.

5. By way of subordinate submission, the learned Government Pleader contends that, in the event this Court is inclined to grant affirmative relief, such indulgence ought to be hedged with stringent conditions upon the Petitioner, so as to obviate any potential disturbance to public order.

6. With reference to the factual matrix, it is submitted that the Petitioner has, on multiple occasions, addressed representations to Respondent No.3 seeking permission to convene a public meeting as “BC Simha Garjana” scheduled for 22.02.2026, accompanied by requisitions for requisite police arrangements. The particulars concerning the venue, organizing body, and

anticipated attendance were duly furnished. Communications dated 10.02.2026 indicated an expected gathering of approximately 10,000 to 12,000 persons, to be transported by 50 buses, 500 cars, and 1,000 two-wheelers.

7. The learned Government Pleader, in oral submissions, further asserts that Respondent No.3 has duly considered these representations and rejected them, citing compelling law-and-order concerns and the logistical impracticability of deploying adequate police force to maintain security and public tranquility.

8. In the similar circumstances, a learned single Judge of this Court, in W.P.No.21157 of 2025 on 03.09.2025 disposed of the Writ Petition granting permission to the Petitioner therein to conduct a meeting with certain restrictions. In this regard, it is opposite to refer to the judgment of the Hon'ble Apex Court in **Kameshwar Prasad v. State of Bihar**¹ wherein it is held that right to protest is a fundamental right and the State must aid the right to assembly of the citizens.

9. Indeed, the Hon'ble Supreme Court in **Himant Lal K. Shah v. Commissioner of Police, Ahmedabad**² it is held that State cannot be law abridge or take away the right of assembly by prohibiting assembly on every public street or public place. The State can only make regulations in aid of the right of assembly of each citizen and can only impose reasonable restrictions in the interest of public order.

¹ (1962) Supp 3 SCR 369

² (1973) 1 SCC 227

10. Further, the Hon'ble Apex Court in **Mazdoor Kisan Shakti Sangathan v. Union of India**³ categorically held that holding peaceful demonstration by the citizens of the country in order to air their grievances and to ensure that these grievances are heard in the relevant quarters, is its fundamental right. This right is specifically enshrined under Articles 19(1)(a) and 19(1)(b) of the Constitution of India.

11. The Division Bench of this in Writ Petition (PIL) Nos.5; 3; 8 and 10 of 2023 and Writ Petition No.1369 and 1562 of 2023 in **Kaka Ramakrishna v. State of Andhra Pradesh** citing several landmark judgments of the Hon'ble Apex Court allowed the writ petitions setting aside the G.O issued for banning public meetings on the roads and road margins etc., on the ground that State can regulate the conduct of the meetings, but cannot ban the same altogether.

12. In the instant matrix, the Petitioner has proactively implored sanction for the "BC Simha Garjana" convocation on 22.02.2026. Respondent No.3 cannot cavalierly negate this behest, qua political congregations for disseminating grievances or ideologies, Article 19(1)(a) and 19(1)(b) furnish impregnable aegis, albeit amenable to regulatory calibration.

13. In limine, advertent to the conspectus of facts and the juridical backdrop, this Writ Petition is disposed of, granting the Petitioner permission to convene the public meeting styled "BC Simha Garjana" on 22.02.2026 at

³ AIR 2018 SC 3476

the esplanade opposite Nagarjuna University, Mangalagiri, subject to the following conditions, which shall be scrupulously adhered to:

- i. The convocation shall be temporally confined between 1400 hours and 1700 hours at the designated venue.
- ii. The Petitioner shall provide, at his own cost, all necessary amenities including food, potable water, sanitary facilities, ablutionary arrangements, basic medical aid with ambulance services, and comprehensive CCTV surveillance.
- iii. The Petitioner, his supporters, and speakers shall refrain from making any vituperative, defamatory, or inflammatory statements against public officials or private individuals.
- iv. No obstruction shall be caused to the free use of the National Highway by the public.
- v. No procession shall be undertaken from the Petitioner's residence or office to the venue; permission is confined strictly to the meeting itself.
- vi. The number of invitees shall not exceed 10,000 persons.
- vii. Participants shall not encroach upon or disrupt traffic on the National Highway.
- viii. The Petitioner shall bear full responsibility for any law-and-order issues arising before, during, or after the event.
- ix. No harassment or nuisance shall be caused to public officials or government agencies.

- x. Sound amplification devices shall strictly conform to permissible decibel levels under prevailing regulations.
 - xi. The Petitioner shall ensure that no untoward incident occurs endangering the life or safety of attendees.
 - xii. Any violation of these conditions or of statutory provisions governing public meetings shall entitle the Respondents to exercise coercive powers in accordance with law.
 - xiii. The Petitioner shall not display or erect unnecessary flex boards, banners, or hoardings alongside the national highway at or around the venue.
 - xiv. The Petitioner shall ensure that no participant or follower indulges in any form of motorbike stunts, vehicular rallies, or other processional movements involving vehicles.
14. With the above directions, the Writ Petition is disposed of. There shall be no order as to costs.

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

Dr.Y. LAKSHMANA RAO, J.

Date: 19.02.2026
KMS/VTS