

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-10-2026

CORAM

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

WP CrI. No. 2747 of 2026

CNR:{HCMA012463932026}

AND

WPMP CRL. NO. 1009 OF 2026



Case QR

Visalatchi
W/o Late P.Nagendran,
No.300, 17th Block, Sathiya Moorthi Nagar (SM
Nagar),
Vyasarpadi, Chennai.

..Petitioner

Vs

1. The Commissioner of Police
Greater Chennai,
Vepery, Chennai.
2. The Deputy Commissioner of Police
Pulianthope Range, Chennai.
3. The Inspector of Police
P3, Vyasarpadi Police Station,
Vyasarpadi, Chennai.

..Respondents

To issue a Writ of Certiorarified Mandamus or any other Writ or direction in the nature of writ that this Honorable Court may deem fit and call for the records pertaining to the order dated 05-10-2026 passed by the 3rd respondent and quash the same as arbitrary and illegal, and consequently direct the Respondents to grant permission to the Petitioner to conduct the First Death Anniversary (Muthalam Aandu Ninaivu Anjali), memorial rites (Eruthi Sadangu) and Soga Paadalgal programme of her late husband, Thiru P. Nagendran on 9-10-2026 at (No.300, 17th Block, SM Nagar, Vyasarpadi, Chennai-600039, from 12.00 noon to 9.30 pm.) or, in the alternative at (the



vacant site at Door No.28, 1st street, Malligai Poo Colony, Chennai 600039,
from 6.00 pm to 9.30 pm.

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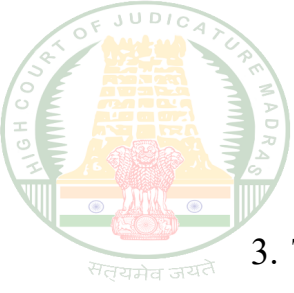
For Petitioner : Mr.Kirubakaran for
Mr.N.Ziavudeen

For Respondents : Mr.John Sathyan,
State Public Prosecutor
Assisted by Mr.Arun Anbumani
Additional Public Prosecutor

Order

The case was taken up on the mentioning made by Mr.Kirubakaran. He urged that the petitioner's representation, seeking permission to conduct “முதலாம் ஆண்டு நினைவு அஞ்சலி” for her husband and for performance of customary rights connected with the funeral, had been rejected. As the remembrance gathering is scheduled to be held tomorrow, he pleaded urgency. Considering this plea, he was called upon to serve the Public Prosecutor, so as to enable him to get instructions.

2. The petitioner is the wife of one P.Nagendran. He passed away on 09.10.2025. At the time of his death, he was an accused (A1) in a sensational murder case. Apart from Nagendran, the petitioner's son one Ashwathaman had also been arrayed as an accused and remanded to custody. Hence, the necessary customary funeral rites in connection with the death of Nagendran could not be held in October 2025.



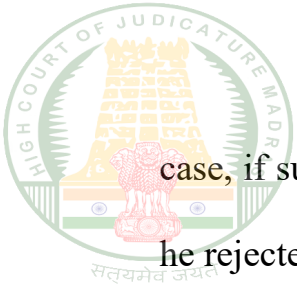
3. The petitioner states that on the advice of her friends and relatives, it has been decided to have “முதலாம் ஆண்டு நினைவு அஞ்சலி” on 09.10.2026.

During the said “நினைவு அஞ்சலி”, it has proposed to have the following:

- (i) இறுதிச் சடங்கு
- (ii) சோகப் பாடல்கள் / ஒப்பாரி
- (iii) பறை அடித்தல்
- (iv) அண்ணதானம்

4. The petitioner has proposed to hold this observance, since it is the belief and custom of the community to which she belongs to do all these activities so that the departed soul attains salvation. Since she fears some obstructions during the performance of the aforesaid acts, she made a representation to the respondents seeking protection for her family and for those attending the observance on 09.10.2026. The said representation was rejected by the third respondent on 05.10.2026 and the same was communicated to the petitioner on 06.10.2026.

5. Primarily, the reason given by the third respondent for the rejection is that as the petitioner’s husband and son are involved in a controversial murder



case, if such observances are held, it would lead to law and order issues. Hence, he rejected the request made by the petitioner. Hence, the writ petition.

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6. Mr.Kirubakaran, appearing for Mr.N.Ziavudeen, submits that though the petitioner has made a request for observing the remembrance day with 300 persons along with அண்ணதானம், considering the apprehension expressed by the Police, the petitioner has decided to confine the number of invitees for the observance to 60. Though initially, the observance was proposed to be held from 12 noon till 9.30 pm, the petitioner has now confined the timings between 6 pm and 9 pm. He states that there will be no political messaging, erecting of banners or playing of provocative songs. The songs would be confined only to சோகப் பாடல்கள் / ஒப்பாரி and பறை அடித்தல்.

7. Mr.John Sathyan, learned State Public Prosecutor instructed by Mr.Arun Anbumani, reports that the third respondent has received inputs from several agencies stating that there is a possibility of untoward incidents taking place in case the program proceeds as per the schedule given by the petitioner. It was in those circumstances that the request of the petitioner came to be rejected. He reports that the Police have absolutely no issues in case observances are held within the four corners of the petitioner's house. He further points out that the residences of 15 accused in the sensational murder



case have been provided with round the clock guard in order to obviate any retaliation taking place.

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8. I have carefully considered the submissions made on either side. I have gone through the records.

9. This court is of the view that even if the deceased is one of the blackest rogues of the 21st century, his family is entitled to follow the customary observances that they have to do in line with their beliefs. The accused is dead but his family members are alive. The petitioner fears that, unless the funeral observances are performed, the family will be inviting dire consequences from the fore-fathers. Rationality cannot be attached to beliefs. At the same time, this court is alive to the apprehension of the third respondent. The murder case in which the petitioner's husband and son are accused of is an extremely sensational case. It related to the murder of a leading political personality in the State of Tamil Nadu. The victim was also the State head of a national party. The police, obviously, have received inputs that threat could result in retaliation. It was in those circumstances, the petitioner sought for protection for herself and her family members and those attending the death anniversary observances.

10. Now that, Mr.Kirubakaran has toned down the request of the petitioner including confining the timings within which the observance is to be



held, the request deserves consideration. The Tamil Nadu Police are robust and resourceful enough to ensure that within three hours, nothing untoward will take place. This court is inclined to grant the relief subject to certain stringent conditions.

11. As a result, the impugned order is quashed. The petitioner shall be permitted to perform “முதலாம் ஆண்டு நினைவு அஞ்சலி” to her husband, P.Nagendran on 09.10.2026 between 6 pm and 9 pm on the following conditions:

- (i) The petitioner shall forward the list of attendees to the third respondent police by 10 am tomorrow i.e., on 09.10.2026;
- (ii) The number of those attending the observance should not exceed 60;
- (iii) In case the necessity arises, the third respondent shall inform the petitioner to avoid the presence of persons, which might create law and order issues. The petitioner shall comply with the said requisition;
- (iv) The observance shall take place at Door No.28, 1st street, Malligaipoo Colony, Chennai – 600 039 and nowhere else.
- (v) During the observance, the petitioner and those attending the same shall not consume or distribute liquor.
- (vi) There shall be no banners, political messaging of any kind or playing of provocative, including கானா songs .



(vii) Only those observances mentioned in paragraph 3 of this order will be permitted;

If any of the conditions are violated, the third respondent police shall swing into action and ensure that the observance comes to an immediate end.

12. This petition stands disposed of in the aforesaid terms. Consequently, the connected miscellaneous petition is closed.

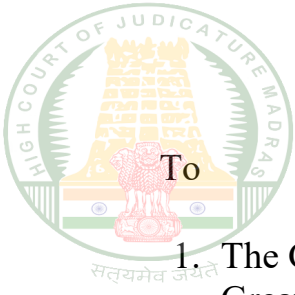
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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No



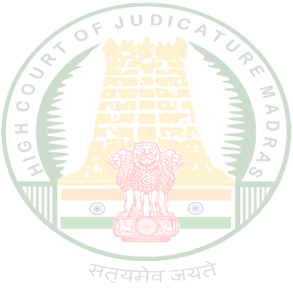
To

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4. The Public Prosecutor,
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Order QR



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V.LAKSHMINARAYANAN J.

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