



W.P.No.34402 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 25.03.2024

CORAM :

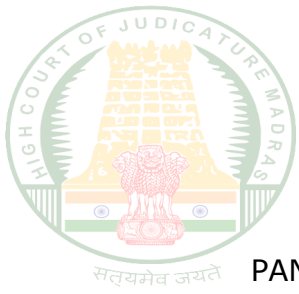
THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.34402 of 2023  
(Suo-Motu)

1. STATE OF TAMILNADU  
REP. BY ITS PRINCIPAL SECRETARY  
REVENUE AND DISASTER MANAGEMENT DEPARTMENT  
SECRETARIAT, CHENNAI - 600 009.
2. STATE OF TAMIL NADU  
REP BY ITS PRINCIPAL SECRETARY,  
MUNICIPAL ADMINISTRATION AND WATER SUPPLY DEPARTMENT  
SECRETARIAT, CHENNAI - 600 009.
3. STATE OF TAMIL NADU  
REP BY ITS PRINCIPAL SECRETARY  
RURAL DEVELOPEMTN AND PANCHAYATARAJ DEPARTMENT  
SECRETARIAT, CHENNAI - 600 009.
4. DIRECTOR GENERAL OF POLICE TAMIL NADU  
DGP OFFICE, KAMARAJAR SALAI  
CHENNAI - 600 004.
5. THE DISTRICT COLLECTOR  
CUDDALORE DISTRICT.
6. SUPERINTENDENT OF POLICE  
CUDDALORE DISTRICT.
7. DEPUTY SUPERINTENDENT OF POLICE



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PANRUTI, CUDDALORE DISTRICT

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8. REVENUE DIVISIONAL OFFICER  
PANRUTI.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the Respondents, to prevent unwanted incidents and to take appropriate steps in issue the guidelines to streamline the funeral processions throughout Tamil Nadu State without hindrance by drunken person to general public by throwing garlands and blocking of vehicle movements and etc., and to file a report before this Court.

For the Respondents : Mr.A.Edwin Prabakar  
State Government Pleader  
for respondents 1 to 3, 5 and 8

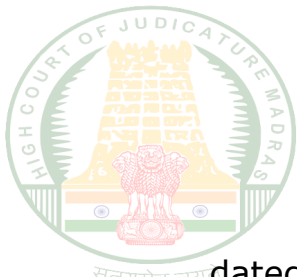
: Mr.R.Muniyapparaj  
Additional Public Prosecutor  
assisted by  
Mr.M.Sylvester John  
for respondents 4, 6 and 7

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

Heard Mr.A.Edwin Prabakar, learned State Government Pleader for respondents 1 to 3, 5 and 8; and Mr.R.Muniyapparaj, learned Additional Public Prosecutor for respondents 4, 6 and 7.

2. This Court had taken suo motu cognizance of the letter



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dated 4.9.2022 of Mr.A.Anbu Selvan, wherein he had stated about the unfortunate incident that took place because of the garland thrown in a funeral process.

3. Learned counsel for respondents have placed on record a Circular Memorandum issued on 20.3.2024 by the Director General of Police, Head of Police Force, Tamil Nadu. The following instructions are given:

*"3. This is a very sensitive issue involving the traditions and emotions of the people, and at the same time the life and safety of the public. The Unit officers should take suitable preventive steps and sensitise the SDOs/SHOs in this regard.*

- i. Prior intimation should be given by the family members of the deceased to the local police with tentative time and route of the procession so as to regulate the vehicular traffic and the funeral procession.*
- ii. The local police should liaise with the Panchayat/Municipality/Corporations to clear the garlands and other materials that might be lying on the road so that there is no*



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*hindrance or disturbance to the movement of vehicular traffic.*

*iii. No banners, hoardings, etc. should be permitted without approval from the competent authorities.*

*iv. The organisers should be advised to collect the garlands/wreaths in the funeral house itself and the same should be disposed safely. They should be advised not to carry large number of garlands/wreaths along with the procession, not to throw them on roads/vehicles moving on the road. If any garland/wreath is left on the roads, the police should liaise with the local bodies to clear the road immediately.*

*v. The organisers should be advised to avoid Highways/arterial/main roads.*

*vi. The police should regulate participants of the funeral procession to go in intermittent gaps to facilitate the smooth movement of traffic.*

*vii. Strict legal action should be taken if there are any violations endangering the life and safety of the public.*

*viii. The local police should regulate the route of*



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*the funeral procession if law and order problem is anticipated in any particular route.*

*ix. The above precautionary measures are only indicative and not exhaustive. The Unit Officers should take all necessary precautionary measures to ensure the safety of the public."*

4. We hope and trust that the aforesaid instructions issued by the Director General of Police, Tamil Nadu, shall be adhered to in its letter and spirit.

The writ petition is disposed of accordingly. There shall be no order as to costs.

(S.V.G., C.J.)

(D.B.C., J.)

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Index : Yes/No  
Neutral Citation : Yes/No  
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