

**W.P.Nos. 5801, 2292, 4053, 5869, 6201, 6226, 6569, 6928,  
4989 and 7213 of 2020**

**M.M.SUNDRESH, J.  
AND  
KRISHNAN RAMASAMY, J.**

(Order of the Court was made by M.M.SUNDRESH, J.)

Today, when the matter is taken up for hearing, a memo of adjournment has been filed on behalf of the intervenors.

2. The learned counsel appearing for the intervenors placed reliance upon the aforesaid memo. For better appreciation, we are reproducing the same:

*"The above mentioned batches of writ petitions are for directions to prevent the agitations in various parts of Tamil Nadu which according to the petitioners was allegedly without police permission. Since the matter involved important issues pertaining to the fundamental rights of citizens, many organisations and individuals have filed implead petitions in the above mentioned writ proceedings. This Hon'ble Bench has also expressed in open court that the Court would benefit from hearing arguments from members of the Bar as it involves crucial rights of citizens.*

*In the meantime, our country and the whole world is confronted with the unprecedented public health crisis caused by the coronavirus for which there is no remedy available as of now. As a precautionary measure, central government and state government have advised the citizens to practice social distancing and to avoid gathering in numbers. Our High Court has also issued a circular dated 17.03.2020 informing that only urgent matters will be taken up and no final hearings will be heard.*

*In the light of the notification, it is requested that the above mentioned batch may be adjourned by 3 weeks and hearing be resumed after normalcy returns. We are making this request as responsible members of the Bar who do not wish to put themselves and the general public at risk. In this hour of critical public health crisis, each individual has to rise to the occasion and cooperate."*

3. The learned counsel appearing for the intervenors submitted that in view of the above, the matter may be deferred particularly when the protests have been withdrawn.

4. On a query, the learned Public Prosecutor, on instructions, submitted that no processions/protests/demonstrations would be permitted in view of the present scenario. Reliance has been made on the Circular Memorandum in RC.No.000880-2/Crime 3(2)/2019 dated 19.03.2020. The relevant portion of the aforesaid memorandum is recorded hereunder:

*2.The Health and Family Welfare Department, vide reference cited, has issued instructions stating that the public should be advised to avoid crowded places and restrict social gatherings.*

*3.At present, it is to be noted that various protests, public meetings, demonstrations etc are being staged statewide in which, agitators in large numbers including women and children, are congregating to participate in such mass gatherings. The Chief Secretary to the Government, in the letter vide reference cited, has directed the Director General of Police, Tamil Nadu to avoid permissions for mass gatherings and advise the public to avoid crowding in public places to prevent the transmission of COVID 19 virus.*

*4. Hence, all unit officers are requested to take adequate precautionary measures in coordination with the District Collectors to ensure strict compliance to these instructions regarding*

*public gatherings, in the interest of public health and safety.*

*5. Acknowledge receipt of this circular memorandum.*

5. The learned counsel appearing for the petitioners submitted that notwithstanding the same, protests are going on in some places. One of the learned counsel has said that appropriate directions are to be issued against all gatherings.

6. Now, we are more concerned with the present scenario wherein a pandemic has set in. Steps have been taken both by the Central and State Governments to control the spread of Corona virus. Even this Court, as mentioned in the memorandum of adjournment, has taken certain austerity measures. The issue now is not concerned with the right to protesters alone but the overall interest of the entire citizenry. Therefore, in the light of the larger interest, we are inclined to pass the following orders:

*(i) There shall not be any protests/processions/demonstrations till the threat of Corona Virus abates.*

*(ii) If any such activity either goes on now or started henceforth, the official respondents shall take appropriate steps to stop it.*

*(iii) The protests or assembly are not restricted to any*

*single issue or group of persons and, therefore, to be made applicable to all.*

*(iv)The State Government may issue appropriate advisories not to have any functions during the interregnum.*

*(v)Insofar as the marriages fixed already are concerned, the State Government may further give an advisory requesting the parties either to consider postponement or reduce the gathering.*

7. The above mentioned are merely illustrative in nature as the spread of Corona virus shall not differentiate the nature of gatherings.

8.The learned counsel appearing for the intervenors is permitted to take papers available in the writ petitions by making an endorsement to be distributed among others, if they require.

Considering the request made, post the matter for further hearing on 21.04.2020.