

News

Karnataka High Court overturns state rule prohibiting unapproved meetings in public areas as the RSS marches



According to reports, the government issued the directive in response to the Rashtriya Swayamsevak Sangh's (RSS) planned marches.

A State government decision that prohibited unapproved gatherings of more than ten individuals in public areas, including as parks, playgrounds, and highways, was stayed by the Karnataka High Court on Tuesday

According to reports, the government issued the directive in response to the Rashtriya Swayamsevak Sangh's (RSS) planned marches.

Although the government order was intended to prevent unauthorized use of public property, **Justice M. Nagaprasanna** pointed out that it violated the fundamental rights protected by the Constitution, especially the freedom of speech and expression and the right to peaceful assembly.

The Court emphasized that without appropriate legislative support, a government directive cannot take away fundamental rights because doing so would violate Article 13(2) of the Constitution.

The Court stayed the government order until the following hearing date, concluding that it could not be allowed to function.

A organization called **Punashchethana Seva Samaste** and others petitioned the government to revoke the October 18 decree, and the stay order was granted. It was maintained that the fundamental right to peaceful assembly was directly impacted by the government's action.

The Chief Secretary, Under Secretary (Home), Principal Secretary (Personnel and Administrative Reforms), Director General of Police (DGP), Dharwad City Police Commissioner, Dharwad Deputy Commissioner, Law and Parliamentary Affairs Department Secretary, and Commissioner of **Hubballi-Dharwad Municipal Corporation (HDMC)** were also served with notices by the Court thereafter, following its hearing of the case.

Ashok Haranahalli, a senior attorney, represented the petitioners.