



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.12.2020

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THE HONOURABLE MR.JUSTICE G.ILANGO VAN

W.P. (MD)No.19966 of 2020

N.Thangam

... Petitioner

Vs.

1.The Superintendent of Police
Thoothukudi,
Thoothukudi District.

2.The Inspector of Police
Seidunganallur Police Station
Seidunganallur,
Thoothukudi District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order dated 17.12.2020 in Se.Mu.Aa.No.05/Police Inspector/S2PS/Thoodi/2020 passed by the second respondent and quash the same and further directing the second respondent to grant permission and adequate police protection for conducting Kabadi Tournament at Karaiyadiyur, Seidunganallur, Thoothukudi District on 02.01.2021 and 03.01.2021.

For Petitioner : Mr.K.Esakki

For Respondents : Mr.Seenivasan

Government Advocate (Crl.Side)

ORDER

This writ petition has been filed for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned order dated 17.12.2020 in Se.Mu.Aa.No.05/Police Inspector/S2PS/Thoodi/2020 passed by the second respondent and quash the same and further directing the second respondent to grant permission and adequate police protection for conducting Kabadi Tournament at Karaiyadiyur, Seidunganallur, Thoothukudi District on 02.01.2021 and 03.01.2021.

2. The learned counsel for the petitioner would submit that the Kabadi Tournament has been conducted by the petitioner's



village people for the past six years in a peaceful manner without any hindrance to anybody. In this regard, the petitioner made a representation on 17.12.2020 before the second respondent seeking permission to conduct Kabadi Tournament on 02.01.2021 and 03.01.2021. The second respondent without considering the relaxation given to the public regarding conduct of sports activities, mechanically, rejected permission to conduct kabadi on the ground that there will be a possibility of spread of COVID-19 and also there is a possibility of communal clash between two communities. Hence the present writ petition has been filed.

3.The learned Government Advocate appearing for the respondents would submit that considering the relaxation given by the Government for sports activities, the prayer sought for by the petitioner may be granted with stringent conditions. He would further submit that the petitioner may be directed to fix some other date as there is deficiency of police personnel to provide police protection on the particular dates.

4.The learned Counsel appearing for the petitioner on instructions submit that instead of 02.01.2021 and 03.01.2021, the respondents may give permission on 06.01.2021 and 07.01.2021 to conduct the Kabadi Tournament.

5.Considering the fact that the Government has relaxed the conditions for sports activities, the order passed by the second respondent dated 17.12.2020 is quashed and the Writ Petition is allowed by directing the second respondent police to grant permission for conducting the Kabadi tournament on 06.01.2021 to 07.01.2021 at Karaiyadiyur, Seidunganallur, Thoothukudi District, by enclosing the following conditions:

i) The tournament scheduled to be held should be completed within the time specified by the SHO according to the tournament

ii)The organizers and other participants shall not shout, raise any slogan for or against any caste, community or creed;

iii) The organizers shall ensure that no untoward incident is caused disturbing the public peace and tranquillity;

iv)The organizers shall make provision for first aid arrangements properly and doctors wherever felt necessary

v)The participants of "Kabadi" tournament shall not wear any form of dress showing offending slogans or picture of any communal/caste leader which may cause disturbance;

vi)Songs praising communal leader caste leader should not be played;



vii)The organizers will ensure that no flex board or hoardings depicting particular caste, community or political leader will be displayed;

viii) The participants of the tournament shall not consume any kind of intoxicating substance or liquor during the tournament

ix) If there is any untoward incident, the organizers of the tournament be made responsible for the same.

x) Organizers shall not erect any digital banners/placards on either side of the arterial roads, platforms,walkways/major roads and any other roads.

xi) the function will be conducted in the spirit of game.

xii) If there is any violation of any one of the conditions imposed the concerned police officer is at liberty to take necessary action, as per law and stop such performance

xiii) Similarly, stop the tournament, if it exceeds beyond the permitted time.

(xiv)organizers shall have to obtain all other required permissions from the authorities concerned.

xv) SHO shall impose any further restrictions or to impose any conditions purely in the interest of preserving public order and tranquillity, so as to maintain law and order and communal harmony."

6.The petitioner is also directed to ensure that the conditions are strictly complied with and also to ensure that no law and order problem is created in the course of conducting the tournament. It is made clear that the guidelines issued by the Government in tackling COVID-19 pandemic shall be strictly followed by all concerned. No costs.

Sd/-

VACATION OFFICER/AR

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

SMN2 / SRM



To

1.The Superintendent of Police
Thoothukudi,
Thoothukudi District.

2.The Inspector of Police
Seidunganallur Police Station
Seidunganallur,
Thoothukudi District.

W.P. (MD) No.19966 of 2020
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