



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.11.2021

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.20617 of 2021

and

W.M.P. (MD)No.17249 of 2021

Sakthivel

... Petitioner

Vs.

1.The Superintendent of Police,
Trichy District, Trichy.

2.The Sub Inspector of Police,
Vaiaampatty Police Station,
Trichy District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the 2nd respondent in Na.Ka.No.04/F2PS/2021 dated 11.11.2021 quash the same as illegal and consequently direct the respondents to grant permission to conduct the 21st year of District Level Children Kabadi Tournament scheduled on 19.11.2021 at about 07.00 PM to 20.11.2021 at about 07.00 PM in the playground which is situated at Bambalamman Thidal, Thalakulathupatti Village, Manapparai Taluk, Trichy District.

For Petitioner : Mr.M.Prabhu

For Respondents : Mr.T.Senthil Kumar,
Additional Public Prosecutor.

ORDER

The petitioner has proposed to conduct the petition mentioned kabadi tournament on 19.11.2021 and 20.11.2021. The petitioner submitted an application to the second respondent in this regard. The second respondent by the impugned order dated 11.11.2021 rejected the request. Challenging the same, this writ petition has been filed.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.



3.The learned Additional Public Prosecutor reiterated the reasons set out in the impugned order and wanted this Court to sustain the same.

4.I carefully considered the rival contentions and went through the materials on record.

5.The second respondent had denied permission to the petitioner by citing the lockdown restrictions that are still in force. It is also stated that prohibitory orders under Section 30(2) of Police Act are also in force. While it is true that the State and Central Governments imposed stiff lockdown measures to contain the spread of covid, the fact remains that there has been substantial relaxation and normal life has almost returned. Therefore, it would not be fair to deny permission to the petitioner alone. The petitioner has given an undertaking that covid-19 protocol would be strictly adopted for all the spectators. Only those who have undergone vaccination atleast once will be allowed to participate in the tournament. Since such an undertaking has been given, that should more than allay the apprehension of the second respondent.

6.The orders under Section 30(2) of Police Act are meant to regulate the activities and not prohibit them altogether. In this view of the matter, the order impugned in this writ petition is quashed and the writ petition is allowed. The second respondent or the concerned authority is directed to permit the petitioner to hold the petition mentioned event in terms of the undertaking already given before this Court. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Writs)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To:

- 1.The Superintendent of Police,
Trichy District,
Trichy.
- 2.The Sub Inspector of Police,
Vaiampatty Police Station,
Trichy District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

**W.P (MD) No.20617 of 2021
18.11.2021**

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