



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:16.02.2022

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P (MD).No. 3056 of 2022

I.Kumar

... Petitioner

Vs.

1. The Deputy Superintendent of Police,
Puliyankudi,
Tenkasi District.

2. The Inspector of Police,
Vasutheva nallur Police Station,
Tenkasi District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus or any other appropriate Writ, Order or Direction in the nature of writ, calling for the records relating to the impugned order passed by the 2nd respondent in Na.Ka.No.16/INS/P2PS/2022 dated 05.02.2022 and quash the same and consequently directing the respondents herein to grant permission and adequate police protection for conducting the B-Grade Kabadi Tournament at Athuvazhi, Sivagiri Taluk, Tenkasi District on 26.02.2022, at 11.00 PM to 27.02.2022 at 11.00 PM.

For Petitioner : Mr.M.Pandian

For Respondents : Mr.R.M.Anbunithi

Additional Public Prosecutor(Crl.Side)

O R D E R

The prayer in this writ petition is to direct the respondents to quash the impugned order passed by the second respondent in Na.Ka.No.16/INS/P2PS/2022 dated 05.02.2022 and to grant permission and adequate police protection for conducting the B-Grade Kabadi Tournament at Athuvazhi, Sivagiri Taluk, Tenkasi District on 26.02.2022, at 11.00 PM to 27.02.2022 at 11.00 PM.

2.By consent, the writ petition itself is taken up for final disposal.

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



4. The learned counsel appearing for the petitioner would submit that the kabadi tournament is being conducted regularly. He would further submit that the representation given to the respondent was rejected vide the impugned order dated 05.02.2022.

5. The learned Additional Public Prosecutor appearing for the respondents submitted that the request made by the petitioner was rejected on the ground that due to Covid-19 pandemic situation, therefore, this writ petition is liable to be dismissed.

6. The respondents are directed to grant permission for conducting the Kabadi tournament on 26.02.2022 and on 27.02.2022 from 08.00 a.m. to 11. p.m, by enclosing the following conditions:

i) The petitioner and other participants shall not shout, raise any slogan for or against any party or party leader, any caste, community or creed;

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

iii) The petitioner shall ensure proper first aid arrangements by keeping one or two doctors in the venue;

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

v) Songs praising communal leader or having communal overtones should not be played;

vi) The petitioner will ensure that no flex board or hoardings depicting particular community or leader will be displayed;

vii) There should not be any Flex Boards representing any community or political leaders;

viii) 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;

ix) Similarly, the Police is empowered to stop the Kabadi tournament, if it exceeds beyond the permitted time;

x) the participants of the tournament shall not intake any kind of toxic substance or liquor during the tournament;

xi) If there is any untoward incident took place, the village people and the organizers of the tournament be made responsible for the same;

xii) The Referee must be authorized person from the District Association; and

xiii) The second respondent is at liberty to put 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.



xiv) The COVID-19 restrictions have now been lifted and permitted to gather not more than 50 persons for the Tournament.

xv) The second respondent is directed to strictly adhere to the Standard Operating Procedure adopted by the Government of Tamil Nadu.'

7.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.

8.The writ petition stands disposed of with the above directions and the order passed by the second respondent is quashed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (Writs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

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 Deputy Superintendent of Police,
Puliyankudi,
Tenkasi District.

2.The Inspector of Police,
Vasutheva nallur Police Station,
Tenkasi District

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.M.PANDIAN, Advocate (SR-6968[F] dated 18/02/2022)

W.P (MD).No.3056 of 2022
16.02.2022