



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.04.2022

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THE HONOURABLE MRS.JUSTICE S. ANANTHI

W.P(MD).No.7510 of 2022

A.Ahamed Khan

... Petitioner

Vs

1.The Deputy Superintendent of Police,
Tenkasi Sub Division,
Tenkasi District.

2.The Inspector of Police,
Senkottai Police Station,
Tenkasi District.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the 1st respondent in Na.Ka.No. 24/Se.Aa/Kaa. Thu.Ka.A/Then/2022,, dated 11.04.2022 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 Meenachipuram village, Senkottai Taluk, Tenkasi District from 23.04.2022 to 24.04.2022.

For Petitioner : Mr.P. Rajkumar
For Respondent : Mr.R.M. Anbunithi
Additional Public Prosecutor

ORDER

The prayer in this writ petition is to direct the respondents to quash the impugned order passed by the 1st respondent in Na.Ka.No. 24/Se.Aa/Kaa. Thu.Ka.A/Then/2022, dated 11.04.2022 and consequently, directing the respondents herein to grant permission and adequate police protection for conducting the B-Grade Kabadi Tournament at Meenachipuram village, Senkottai Taluk, Tenkasi District from 23.04.2022 to 24.04.2022.

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

<https://hcservices.ecourts.gov.in/hcservices/>



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 11.04.2022.

5. The learned Additional Public Prosecutor appearing for the respondents submitted that already there was a dispute between two parties, whenever the programme was conducted earlier and therefore, this writ petition is liable to be dismissed.

6. The second respondent is directed to grant permission for conducting the Kabadi tournament on 23.04.2022 and 24.04.2022 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 fourth 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 fourth 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 1st respondent is quashed. The petitioner is directed to pay a sum of Rs.10,000/- (Rupees Ten Thousand only) as costs to the credit of Government of Tamil Nadu, CMPRF in IOB, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172) on or before 22.04.2022 and on receipt of the same, the second respondent is directed to strictly adhere to the Standard Operating Procedure adopted by the Government of Tamil Nadu and grant permission to the writ petitioner to conduct B-Grade Kabadi Tournament at Meenachipuram village, Senkottai Taluk, Tenkasi District subject to the aforesaid conditions. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS III)

/TRUE COPY/

22/04/2022

Sub Assistant Registrar(CS)

trp

To

1.The Deputy Superintendent of Police,
Tenkasi Sub Division,
Tenkasi District.

2.The Inspector of Police,
Senkottai Police Station,
Tenkasi District.



3. The Joint Secretary to Government,
CMPRE (Finance Department),
Secretariat Branch,
Chennai-9.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.P.RAJKUMAR, Advocate (SR-20008[F] dated 21/04/2022)

W.P (MD) .No.7510 of 2022

21.04.2022

MK/22.04.2022/4P/6C