



WEB COPY

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 26.04.2022

CORAM

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

W.P (MD).No.8072 of 2022
and
W.M.P (MD)No.6038 of 2022

G.Jegatheesan

... Petitioner

Vs.

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

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

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a writ of Certiorarified Mandamus, to call for the records relating to the order passed by the second respondent, dated 16.04.2022 and consequential order passed by the first respondent proceedings in Na.Ka.No.102/CAMP/SDOP/2022, dated 17.04.2022 are illegal and quash the same and consequently directing the respondents to grant permission and give necessary protection to conducting the Kabadi Tournament on 07.05.2022 at about 08.00 P.M to 08.05.2022 at about 8.00 P.M at Puliyankudi, Tenkasi District.

For Petitioner : Mr.M.Perumal

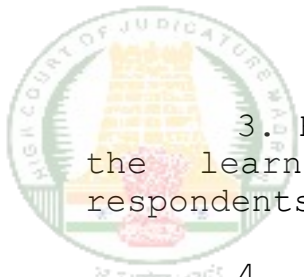
For Respondents : Mr.R.M.Anbunithi

Additional Public Prosecutor

O R D E R

The prayer in this writ petition is to call for the records relating to the order passed by the second respondent, dated 16.04.2022 and consequential order passed by the first respondent proceedings in Na.Ka.No.102/CAMP/SDOP/2022, dated 17.04.2022 are illegal and quash the same and consequently directing the respondents to grant permission and give necessary protection to conducting the Kabadi Tournament on 07.05.2022 at about 08.00 P.M to 08.05.2022 at about 8.00 P.M at Puliyankudi, Tenkasi District.

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 orders, dated 16.04.2022 and 17.04.2022 respectively.

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 and the local body election, therefore, this writ petition is liable to be dismissed.

6. The second respondent is directed to grant permission for conducting the Kabadi tournament on 07.05.2022 and on 08.05.2022 from 08.00 a.m. to 11. p.m, by enclosing the following conditions:

i) 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 07.05.2022 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.

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

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

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

v) 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;

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

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

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

ix) 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;

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

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

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

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

xiv) 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.

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. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

btr

To

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

2. The Inspector of Police,
Puliyankudi 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.M. PERUMAL, Advocate (SR-21093[F] dated 26/04/2022)

W.P (MD) .No.8072 of 2022
26.04.2022

KS (CO)
KB (02.05.2022) 4P 6C