



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 02.06.2022

CORAM

THE HON'BLE MRS.JUSTICE R.THARANI

WP(MD). No.10646 of 2022

Mohamed Iqbal

... Petitioner

Vs

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

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

... Respondents

PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the first respondent in Na.Ka.No.133/Camp/SDOP/2022, dated 15.05.2022 and quash the same and consequently directing the first respondent herein to grant permission and adequate police protection for conducting Kabadi Tournament at Keelapalli Vasal Street Kanmai, Puliyangudi, Tenkasi District from 03.06.2022 at 10.00 pm to 04.06.2022 at 05.00 pm.

For Petitioner : Mr.Kalidass.G

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

ORDER

This Writ Petition has been filed to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the first respondent in Na.Ka.No.133/Camp/SDOP/2022, dated 15.05.2022 and quash the same and consequently directing the first respondent herein to grant permission and adequate police protection for conducting Kabadi Tournament at Keelapalli Vasal Street Kanmai, Puliyangudi, Tenkasi District from 03.06.2022 at 10.00 pm to 04.06.2022 at 05.00 pm.

2.By consent, this writ petition is taken up for final disposal at the stage of admission itself.



3. On the side of the petitioner, it is submitted that the petitioner has filed a representation before the respondent Police seeking permission to conduct 'Kabadi Tournament' and the same was rejected by the respondent on 15.05.2022 and hence this writ petition.

4. On the side of the prosecution, it is stated that there must be a chance for agitation in that area and hence the petition was rejected by the respondent police.

5. It is seen that the representation made by the petitioner was rejected on 15.05.2022. Perusal of records reveals that there is no specific reason stated in the order of rejection except the vague apprehension that people belonged to various community will assemble in one place on the particular date due to which some agitation may arise. This is not a reasonable ground for rejecting the permission. When political meetings are conducted, obviously, all communal people used to attend the meeting and during that time, the respondent police are giving protection.

6. Hence, the respondent Police is directed to grant permission to the petitioner to conduct 'Kabadi Tournament' as requested by them and to provide sufficient protection for the same. Accordingly, the impugned order passed by the first respondent in Na.Ka.No.133/Camp/SDOP/2022, dated 15.05.2022 is hereby quashed.

7. The petitioner and others are directed to abide by all the rules and regulations fixed by the respondents and to maintain peace and cleanliness in that particular locality. If at all any untoward incident happens, the petitioner will be personally liable for the same.

8. In such circumstances, this Court is inclined to direct the second respondent police to grant permission and police protection to conduct 'Kabadi Tournament' on 03.06.2022 and 04.06.2022 at Keelapalli Vasal Street Kanmai, Puliyangudi, Tenkasi District, subject to the following conditions:

- i. The Kabadi Tournament shall be supervised by the respondent police.*
- ii. The organizers should take pre-cautionary measures to avoid any untoward incident while conducting the Kabadi Tournament.*
- iii. Songs praising communal leaders or having communal overtones should not be played.*
- iv. The petitioner should ensure that no flex board or hoardings depicting any particular community or leader is displayed.*
- v. All the above terms and conditions should be followed scrupulously by the petitioner and the petitioner shall file an affidavit of undertaking to the said effect before the respondents.*
- vi. There should be a separate place allocated for the spectators.*



vii.Kabadi players alone should be allowed to participate in the event.

viii.Neither the petitioner nor any of the parties/participants shall indulge in any gambling activities.

ix.The organizers shall be held responsible for any untoward incident.

9. The aforesaid conditions shall be scrupulously followed during the Kabadi tournament and if there is any violation, it is open to the 2nd respondent police to take action immediately in accordance with law.

10.This Writ Petition is disposed of with the above directions. No Costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

03/06/2022

Sub Assistant Registrar(CS)

PNM/PJL

To

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

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

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

+1 CC to M/s.G. KALIDOSS, Advocate (SR-24244[F] dated 02/06/2022)

WP(MD) No.10646 of 2022

Date : 02/06/2022

TP(CO)

GC(03.06.2022) 3P 5C