



W.P(MD)No.21502 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.09.2022

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P(MD)No.21502 of 2022

E.Manickaraja

...Petitioner

Vs.

1.The Superintendent of Police,
Thoothukudi District,
Thoothukudi 628 704.

2. The Inspector of Police
Sathankulam,
Thoothukudi 628 704.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 to give permission to conduct a State-Level Mini Marathon to be conducted on 17.09.2022 at commencing in front of Sathankulam Kamarajar Statue-Proceeding to Valliammalpuram (Ave Maria School) - New bus stand - Pannambarai Village to Pudukinaru Village - Sathankulam Veda Temple (CSI Church) and finally end in front of Kamarajar Statue by considering the petitioner's representations dated 15.08.2022 and 24.08.2022 and to provide necessary security.



W.P(MD)No.21502 of 2022

For Petitioner : Mr.M.Maharaja
For Respondents : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the Respondents to give permission to conduct State-Level Mini-Marathon on 17.09.2022 commencing in front of Sathankulam Kamarajar Statue - Proceeding to Valliammalpuram (Ave Maria School) - New bus stand - Pannambarai Village to Pudukinaru Village - Sathankulam Veda Temple (CSI Church) and end in front of Kamarajar Statue by considering the petitioner's representations dated 15.08.2022 and 24.08.2022 and to provide necessary security.

2.The learned Additional Public Prosecutor appearing for the Respondents would submit that earlier there was a murder between the two rival religious groups within the same police limit. Therefore, the victim's friends and the relatives have decided to conduct the remembrance day on 15.09.2022. Therefore, it is the objection of the learned Additional Public Prosecutor that it may be conducted any other date after 15.09.2022.



W.P(MD)No.21502 of 2022

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3.The learned Counsel for the Petitioner would submit that 17.09.2022 is the present Prime Minister of India birthday. Therefore, on that day, the petitioner wanted to conduct the Mini-Marathon. Further, the Petitioner undertakes that there will not be any clash either politically or religiously.

4.With the undertaking given by the Petitioner, the Writ Petition is disposed of with a direction to the Respondent concerned to accord permission and Police Protection to conduct the Mini-Marathon as sought for by the Petitioner on 17.09.2022, 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 “Mini Marathon” tournament shall not wear any form of dress showing offending slogans



W.P(MD)No.21502 of 2022

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 Mini-Marathon tournament, if it exceeds beyond the permitted time;

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

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

xii) The Refree 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



W.P(MD)No.21502 of 2022

interest of preserving public order and tranquillity, so as to maintain law and order and communal harmony.

No costs.

13.09.2022

Index :Yes/No
Internet: Yes/No
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Note: Issue Order Copy on 13.09.2022

To

- 1.The Superintendent of Police,
Thoothukudi District,
Thoothukudi 628 704.
2. The Inspector of Police
Sathankulam,
Thoothukudi 628 704.



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W.P(MD)No.21502 of 2022

SATHI KUMAR SUKUMARA KURUP, J.

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W.P(MD).No.21502 of 2022

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