



W.P(MD)No.21627 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.21627 of 2022

M.Sudeshlal

...Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli

2.The Deputy Superintendent of Police,
Valliyoor,
Tirunelveli.

3.The Inspector of Police
Panagudi Police Station
Panagudi,
Tirunelveli District

...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 particularly the 3rd Respondent to consider the Petitioner's representation dated 25.08.2022 and pass appropriate orders permitting him to celebrate the Prime Ministers Birthday function by conducting a kabadi Tournament between all the general public and Kabadi Players on 17.09.2022 to 19.09.2022 day and night at Hindu, Arulneri Middle School at Chidambarapuram Village, Tirunelveli District forthwith.



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For Petitioner : Mr.S.Palani Velayutham
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 grant permission for conducting Kabadi Tournament, which is scheduled to be conducted from 17.09.2022 to 19.09.2022 day and night at Hindu, Arulneri Middle School at Chidambarapuram Village, Tirunelveli District.

2.The learned Additional Public Prosecutor for the Respondents vehemently objects stating that there is already a tension in the area and the Peace Committee had been formed under the preparations of the respondent police. Therefore, he objects to the same.

3.The learned Counsel for the Petitioner would submit that the School management has already granted permission to the Petitioner to conduct the Kabadi match on the birthday of the present Prime Minister of India.



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4. In view of the submissions made by the learned Counsel for the Petitioner and the learned Additional Government Pleader for the Respondents, The respondents police are directed to grant permission for conducting the Kabadi tournament on 17.09.2022 to 19.09.2019, 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



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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 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 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.

5. Accordingly, this Writ Petition is disposed of. No costs.

13.09.2022

Index :Yes/No
Internet: Yes/No
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Note: Issue Order Copy on 16.09.2022

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To

- 1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli
- 2.The Deputy Superintendent of Police,
Valliyoor,
Tirunelveli.
- 3.The Inspector of Police
Panagudi Police Station
Panagudi,
Tirunelveli District
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

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