



W.P(MD)No.24358 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.10.2022

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P(MD)No.24358 of 2022

V.Ashokkumar

...Petitioner

Vs.

**1.The Superintendent of Police,
Trichy District,
Trichy.**

**2.The Inspector of Police,
Puthanatham Police Station,
Manapparai,
Trichy 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 to grant permission and to provide Police protection to conduct the “Kabadi” competition on 18.12.2022, 24.12.2022 and 25.12.2022 at Sri Mariyamman Temple Ground, Manapparai, Trichy Taluk by considering the petitioner's representation dated 10.10.2022.

For Petitioner : Mr.A.Thiyagarajan

**For Respondents : Mr.R.Sivakumar
Government Advocate (Crl.side)**



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ORDER

This Writ Petition has been filed seeking issuance of a writ of Mandamus directing the respondents to grant permission and to provide Police protection to conduct the “Kabadi” competition on 18.12.2022, 24.12.2022 and 25.12.2022 at Sri Mariyamman Temple Ground, Manapparai, Trichy Taluk by considering the petitioner's representation dated 10.10.2022.

2.The learned Additional Public Prosecutor takes notice for the Respondents. By consent, the Writ Petition itself is taken up for final disposal.

3.Heard the learned Counsel for the Petitioner and the learned Additional Public Prosecutor appearing for the Respondents.

4.The learned Additional Public Prosecutor stating that the respondents are unable to give permission on 18.12.2022 subsequently on 24.12.2022 and 25.12.2022. Instead, the respondents are willing to consider granting permission on 24.12.2022, 25.12.2022 and 26.12.2022.



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5.The learned counsel for the petitioner submits that in such consideration, he may be permitted to conduct the “Kabadi” tournament consequently for three days from 24.12.2022 to 26.12.2022.

6.The learned Additional Pubic Prosecutor appearing for the Respondents, on instructions, would submit that no objections from the respondents and the petitioner may be granted permission based on the DGP circular.

5.Considering the submission of the learned Additional Public Prosecutor, the Respondents are directed to grant permission for conducting the Kabadi tournament from 24.12.2022 to 26.12.2022 at at Sri Mariyamman Temple Ground, Manapparai, Trichy Taluk, by imposing 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 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;



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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 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.

26.10.2022

Index :Yes/No
indu

Note:Issue Order copy on 26.10.2022

To

1.The Superintendent of Police,
Trichy District,
Trichy.

2.The Inspector of Police,
Puthanatham Police Station,
Manapparai,
Trichy District.



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SATHI KUMAR SUKUMARA KURUP, J.

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