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W.P.(MD)No.3251 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.3251 of 2023

Karuppaiah

... Petitioner

Vs.

1.The District Collector,
Pudukottai District,
Pudukottai.

2.The Chief Educational Officer,
Pudukottai District,
Pudukottai.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records to the impugned order in Na.Ka.No.1096/Aa4/2023, dated 09.02.2023 passed by the second respondent and quash the same and consequently directing the respondents to grant permission and protection to the conduct the Athlete and group competition to be held on 18.02.2023, 19.02.2023, 25.02.2023 and 26.02.2023 (Saturday and Sunday alone), conducted on the ground of Government Higher Secondary School, Karambakudi, Pudukkottai District, based on the petitioner's representation dated 02.02.2023.



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For Petitioner : Mr.K.Govindarajan
for T.Palanisamy
For R1 : Mr.B.Saravanan
Additional Government Pleader
For R2 : Mr.I.Amjadkhan
Government Advocate

ORDER

Heard the learned counsel on either side.

2.The petitioner belongs to ADMK party. He wants to organize a sports event in memory of the Late Leader Selvi.J.Jeyalalitha (Former Chief Minister of Tamil Nadu). The petitioner's request has been rejected vide order dated 09.02.2023 by the second respondent. Challenging the same, the present writ petition came to be filed.

3.When the matter was taken up for hearing, the learned counsel for the petitioner submitted that the petition mentioned school ground was allowed to be used by persons belonging to the ruling party (DMK). That such an event was allowed to be celebrated in March, 2021 is not in dispute.

4.However, citing G.O.Ms.No.131, School Education Department, dated 10.08.2006, the respondents oppose the writ prayer.



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5.I can understand if the school play ground is not allowed to be used by any political party. Permitting the ruling party to use the play ground while denying the same to the opposing party would be patently discriminatory and anti-democratic. When I expressed such a view, the respondent through the learned Additional Government Pleader firmly stated that in future, the petition mentioned school ground will not be allowed to be used by any political party.

6.Recording the said submission, I direct the respondents not to permit the use of the petition mentioned play ground for the use of any political party or political organization.

7.This Writ Petition is disposed of with the aforesaid direction.
This shall be a continuing mandamus. No costs.

20.02.2023

NCC : Yes / No
Index : Yes / No
Internet: Yes/ No

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G.R.SWAMINATHAN,J.

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To

- 1.The District Collector,
Pudukottai District,
Pudukottai.
- 2.The Chief Educational Officer,
Pudukottai District,
Pudukottai.

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