



W.P.(MD) No.21268 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.09.2023

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THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD) No.21268 of 2023

Murugesan

... Petitioner

/vs./

**1.The Deputy Superintendent of Police,
Samayanallur, Madurai District, Madurai.**

**2.The Inspector of Police,
Alanganallur Police Station,
Madurai District, Madurai.**

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records relating to impugned order passed by the 2nd respondent in Na.Ka.No.25/Se.MuAa/2023 dated 21.08.2023 and to quash the same and consequently, to direct the 2nd respondent to permit the petitioner to Day-Night Kabadi Competition on 23.09.2023 and 24.09.2023 from 5.00 pm to 9.00 pm and 10.00 am to 7.00 pm respectively, Chinna Ilanthaikulam, Alanganallur, Vadipatti Taluk, Madurai and give adequate police protection in connection with competition.



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For Petitioner : Mr.T.Antony Arulraj
For Respondents : Mr.B.Thanga Aravindh
Government Advocate (criminal side)

ORDER

This Writ Petition is filed under Article 226 of the Constitution of India seeking for a direction to the respondent police to accord permission to the petitioner to conduct the Day-Night Kabadi Competition on 23.09.2023 and 24.09.2023 from 5.00 pm to 9.00 pm and 10.00 am to 7.00 pm respectively at Chinna Ilanthaikulam, Alanganallur, Vadipatti Taluk, Madurai and give adequate police protection in connection with the said competition.

2.It is submitted by the learned counsel for the petitioner that the petitioner is a member of youth wing of a political party and on behalf of the youth wing of the said party, the petitioner decided to conduct the kabadi competition to encourage the youngsters, thereby he moved an application before the police dated 07.08.2023 to grant the permission to the petitioner to conduct the day-night Kabadi competition.



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3.It is submitted that the petitioner earlier filed W.P.(MD) No.14478 of 2023 and the same was disposed of, vide order dated 12.07.2023 directing the police to consider the representation of the petitioner. However, the respondent police stated to have rejected again as per the proceedings dated 31.08.2023. The learned counsel for the petitioner submits that the cases that were referred to by the respondent police are all old matters and in respect of private affairs and not in respect of conducting the Kabadi tournament or any other issues.

4.The learned Government Advocate (Crl.side) submits that there are rival groups in the village and more than 50 persons belonging to the village have given a representation not to grant the permission to the petitioner to conduct the Kabadi tournament and it is submitted that as per the intelligence, according to the police, the situation is not conducive to conduct the Kabadi tournament. It is submitted further that four cases are pending between the groups.

5.The intention of the petitioner to conduct the Kabadi tournament is to encourage the youngsters in the sports activities belonging to that area. In case if the Kabadi tournament is permitted to conduct by taking all the villagers and all



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sections of the people without any dispute, then the proactive attitude of the petitioner can be appreciated. But here it is a case, where some of the villagers have in writing reported the police not to conduct the Kabadi tournament. According to the police, in case if the tournament is conducted, it may likely lead communal problem. In case if the permission is granted or if the communal problem arises, even the petitioner will not be in a position to handle the same. Insofar as the intelligence is concerned, the report of the police will have to be accepted. The tournaments like this shall improve the harmony in the villages but not divide the village further and create some groups. Taking into consideration of the report of the learned Government Advocate (Crl.side), this Court is of the opinion that the situation may not be conducive to grant the relief sought for by the petitioner.

6.Accordingly, this Petition is dismissed. No costs.

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

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To

- 1.The Deputy Superintendent of Police,
Samayanallur, Madurai District, Madurai.
- 2.The Inspector of Police,
Alanganallur Police Station,
Madurai District, Madurai.



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DR.D.NAGARJUN, J.

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