

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.12.2015

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH

W.P.No.39305 of 2015

M.Dillibabu

: Petitioner

Vs.

1.The Deputy Superintendent of Police,
Tirutani, Tiruvallur District.

2.The Inspector of Police,
D2 Police Station, Tiruvalangadu,
Tiruvallur District.

: Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to permit the petitioner to conduct Kabadi tournament on 19th and 20th day of December, 2015 for the Muthamil Kabadi Kuzhu, Chinnakalakkattur Village in Tiruvallur district.

For Petitioner : Mr.N.Suriyamuthu

For Respondents : Mr.V.Subbiah,

Special Government Pleader

O R D E R

This Writ Petition has been filed seeking for the issuance of a Writ of Mandamus, directing the respondents to permit the petitioner to conduct Kabadi tournament on 19th and 20th day of December, 2015 for the Muthamil Kabadi Kuzhu, Chinnakalakkattur Village in Tiruvallur district.

2.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

3.The learned counsel for the petitioner would submit that Muthamil Kabadi Kuzhu situated at Chinnakalakkattur village has decided to conduct the Kabadi tournament on 19.12.2015 and 20.12.2015. In this connection, a representations were given to the respondents, with a request to grant permission to conduct the tournament on the above said dates, but, however, the respondents have not considered the request of the petitioner and hence, the petitioner is before this Court with this Writ Petition. The learned counsel for the petitioner would further submit that as the Kabadi is conducted in a peaceful manner by the villagers, there will be no untoward incident by the people of the village.

4.The learned Special Government Pleader appearing for the respondents, on instructions, would submit that the permission sought for by the petitioner may be granted with stringent conditions for maintaining law and order and also to avoid any untoward incident during performance of such tournament.

5.Having considered the facts and circumstances and the submissions made by the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents, this Court is of the view that necessary permission shall be granted to the petitioner, who is the active member of the Muthamil Kabadi Kuzhu situated at Chinnakalakkattur village to conduct Kabadi tournament on the above said dates.

6. Accordingly, the Writ Petition is disposed of with the following directions:

(i)The Kabadi tournament to be conducted by the Muthamil Kabadi Kuzhu situated at Chinnakalakkattur village be held on 19.12.2015 and 20.12.2015.

ii)The petitioner and other participants shall not shout, raise any slogan for or against any party or party leader, any caste, community or creed.

iii)The petitioner shall ensure that no untoward incident is caused disturbing the public peace and tranquility.

iv) The petitioner shall ensure proper first aid arrangements by keeping one or two doctors in the venue.

v)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.

vi)Songs praising communal leader or having communal overtones should not be played.

vii)The petitioner will ensure that no flex board or hoardings depicting particular community or leader will be displayed.

(viii)No flex boards in support of any political party or religious leader be erected.

(ix)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;

(x)Similarly, the Police is empowered to stop the Kabadi tournament , if it exceeds beyond the permitted time.

(xi)the participants of the tournament shall not intake any kind of toxic substance or liquor during the tournament;

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

(xiii)The second respondent is directed to issue necessary permission, incorporating the above conditions.

(xiv) The Referee must be authorized person from the District Association.

No costs.

Sd/
ASSISTANT REGISTRAR (CS-II)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

raa

To

1.The Deputy Superintendent of Police,
Tirutani, Tiruvallur District.

2.The Inspector of Police,
D2 Police Station, Tiruvalangadu,
Tiruvallur District.

+2 CC to MR.N.Suriyamuthu Advocate. SR.NO. 68065
+1 CC to Govt.Pleader. SR.NO. 68300

W.P.No.39305 of 2015

AR-II

JD 18/12/2015