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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.10.2015

CORAM:

THE HONOURABLE Ms.JUSTICE R.MALA

W.P. (MD) No.18401 of 2015

V.Mohan

... Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District.

2.The Inspector of Police,
Pavoorchathram Police Station,
Tirunelveli 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 grant permission to conduct the Kabadi competition in district level scheduled on 10.10.2015 at about 10.00 pm to 11.10.2015 at about 11.00 am on account of Arulmigu Mariyamman Kovil Festival conducted by Lucky Star Kabadi Kuzhu at Saladiyoor, Pethanadarpatti Post, Alangulam Taluk, Tirunelveli District by considering the petitioner's representation dated 01.10.2015.

For Petitioner

: Mr.G.Karnan

For Respondents

: Mr.N.Manoharan,
Spl.G.P.

ORDER

This Writ Petition has been filed seeking for the issuance of a Writ of Mandamus, directing the respondents to grant permission to conduct the Kabadi competition in district level to be conducted on 10.10.2015 at about 10.00 pm to 11.10.2015 at about 11.00 am during Arulmigu Mariyamman Kovil Festival conducted by Lucky Star Kabadi Kuzhu at Saladiyoor, Pethanadarpatti Post, Alangulam Taluk, Tirunelveli District by considering the petitioner's representation dated 01.10.2015.

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 the villagers jointly decided to conduct the Kabadi tournament from 10.10.2015. In this connection, a representation was given to the respondent police, with a request to grant permission to conduct the



tournament on the above said date, however, the respondent Police has 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 further submitted 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 and his Villagers 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 during the above said temple festival be held from 10.10.2015 at 6.00 pm to 11.10.2015 at 6.00 am.

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 respondent concerned is directed to issue necessary permission, incorporating the above conditions.

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

No costs.

Sd/-

Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To

1.The Superintendent of Police,
Tirunelveli District.

2.The Inspector of Police,
Pavoorchathram Police Station,
Tirunelveli District.

+1cc to Mr.G.Karnan, Advocate SR.No.59832

akm/09.10.15 /3p-4c/

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