



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2015

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

WEB COPY

W.P. (MD) No.21372 of 2014

K.Madakkannu

: Petitioner

Vs.

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

2.The Deputy Superintendent of Police,  
Alangulam Taluk, Tirunelveli District.

3.The Inspector of Police,  
Pavoorchathiram Police Station,  
Tirunelveli District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Mandamus directing the respondents to grant permission to conduct Kabadi Tournament which is to be held at Kurumbalaperi Village, Tenkasi Taluk, Tirunelveli District on 10.01.2015 and 11.01.2015 based on the petitioner's representations dated 14.12.2014 and 16.12.2014.

For Petitioner

: Mr.R.J.Karthick

For Respondents

: Mr.R.Karthikeyan

Additional Government Pleader

**ORDER**

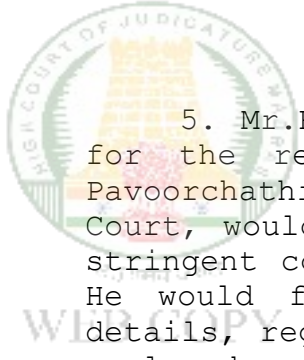
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Mr.R.Karthikeyan, learned Additional Government Pleader, takes notice for the respondents. By consent, the Writ Petition is taken up for disposal at the stage of admission itself.

2. The present Writ Petition has been filed for the issue of a Writ of Mandamus directing the respondents to grant permission to conduct Kabadi Tournament scheduled to be held at Kurumbalaperi Village, Tenkasi Taluk, Tirunelveli District on 10.01.2015 and 11.01.2015 based on the representations dated 14.12.2014 and 16.12.2014.

3. Seeking permission to conduct Kabadi Tournament on 10.01.2015 and 11.01.2015, the petitioner submitted representations on 14.12.2014 and 16.12.2014 before the respondents. Since no action has been taken, the petitioner has come up with the present Writ Petition.

4. The learned counsel appearing for the petitioner would submit that the Kabadi being a traditional sports, a direction may be issued to the respondents to give permission to conduct Kabadi Tournament.



5. Mr.R.Karthikeyan, learned Additional Government Pleader appearing for the respondents, on instructions from the Inspector of Police, Pavoorchathiram Police Station, Tirunelveli District, who is present in Court, would submit that in the event of this Court granting permission, stringent conditions may be imposed for the smooth conduct of the event. He would further submit that the petitioner has to submit complete details, regarding the participants, method to be adopted, referees to be employed and also provide medical facilities for the smooth conduct of the tournament. The learned Additional Government Pleader would also submit that more than 100 teams will be participating in the Tournament and they are collecting money from the above said 100 teams towards entry fees. He would further submit that as per their wish, teams are selected and prizes are distributed and therefore, the referee, who will be employed, may be from the outside area.

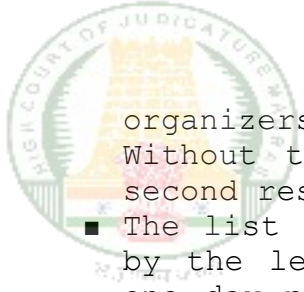
6. The learned counsel appearing for the petitioner would submit that a complete details, regarding the participants, method to be adopted, etc, as suggested by the learned Additional Government Pleader, would be furnished one day prior to the event and a written undertaking would be submitted before the Inspector of Police concerned for the smooth functioning of the tournament. Apart from the above conditions, the petitioner will abide by any other reasonable conditions, which may be imposed by the police in this regard.

7. I have considered the above submissions.

8. A similar issue came up for consideration before a Division Bench of this Court in V.Ganesan Vs. Superintendent of Police, Trichy and another, reported in 2014 5 LW 359 and on a careful consideration of the submissions made on either side, the Division Bench granted permission to conduct Kabadi Tournament by imposing certain conditions.

9. Following the same, the present Writ Petition is disposed of directing the respondents to grant permission to conduct Kabadi Tournament subject to the following conditions:-

- The Kabadi Tournament is permitted to be held on 18.01.2015 between 10.00 A.M and 05.00 PM alone.
- The petitioner and other participants shall not shout, raise any slogan for or against any party or party leader, any caste, community or creed.
- The petitioner shall ensure that no untoward incident is caused disturbing the public peace and tranquility.
- The petitioner shall ensure proper first-aid arrangements by keeping two doctors in the venue.
- 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.
- Songs praising communal leader or having communal overtones should not be played.
- The petitioner will ensure that no flex board or hoardings depicting particular community or leader will be displayed.
- The petitioner will donate a sum of Rs.5,000/- (Rupees Five Thousand only) to The Amar Seva Sangam, Aiykudi Village, Tenkasi Taluk, Tirunelveli District, and payment of proof shall be produced before the second respondent.
- It is made clear that it is a condition precedent on the part of the



organizers to make sure the presence of the doctors, as stated above. Without the presence of doctors or necessary medical facilities, the second respondent shall not grant permission.

- The list of names of participants, method to be adopted, as undertaken by the learned counsel appearing for the petitioner will be furnished one day prior to the event and a written undertaking will be given to the Inspector of Police concerned for the smooth functioning of the tournament.
- The referees will be employed only from the outside area recognized by the District or State Kabadi Association, as suggested by the learned Additional Government Pleader.
- It is made clear that if the above conditions are not followed, it is open to the authorities concerned to take necessary action, including rejecting the request.
- It is also made clear that in the event of any untoward incident, which may take place during the course of Kabadi Tournament, it is open to the police authorities to apprehend such persons, who are responsible for such incident and act in accordance with law. No costs.

Sd/-

Assistant Registrar(Crl.side)

\\True copy\\

Sub Assistant Registrar

To

- 1.The Superintendent of Police,  
Tirunelveli District, Tirunelveli.
- 2.The Deputy Superintendent of Police,  
Alangulam Taluk, Tirunelveli District.
- 3.The Inspector of Police,  
Pavoorchathiram Police Station,  
Tirunelveli District.

+1 CC TO M/S.R.J.KARTHIK, ADVOCATE SR.NO.818

+1 CC TO THE SPL.GOV.T.PLEADER SR.NO.969

ORDER MADE IN  
W.P. (MD) No.21372 of 2014  
DATED - 08.01.2015

NB

NA/09/01/2015/P3/6C