



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Dated: 24.11.2015

C O R A M

WEB COPY

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P(MD)No.20494 of 2015
and M.P(MD)No.1 of 2015

R.Senthilkumar

... Petitioner

Vs

1.The Superintendent of Police,
O/o.Superintendent of Police,
Tirunelveli District.

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

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the proceedings of the second respondent made in unnumbered dated 19.10.2015 and quash the same and consequently direct the respondents to permit the petitioner to conduct the Kabadi Tournament schedule to be held on 21.11.2015, 09.00 p.m., to 22.11.2015, 10.00 a.m., under lights at sports ground, Chellathayarapuram, Alankulam, Tirunelveli District based on the petitioner's representation to the respondents dated 19.10.2015.

For Petitioner : Mr.N.Mohideen Basha

For Respondents : Mr.S.Chandrasekar
Government Advocate

ORDER

This Writ Petition has been filed, praying for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the proceedings of the second respondent made in unnumbered dated 19.10.2015 and quash the same and consequently direct the respondents to permit the petitioner to conduct the Kabadi Tournament schedule to be held on 21.11.2015, 09.00 p.m., to 22.11.2015, 10.00 a.m., under lights at sports ground, Chellathayarapuram, Alankulam, Tirunelveli District based on the petitioner's representation to the respondents dated 19.10.2015.

2. This Court on 19.11.2015 passed the following order in M.P
https://hcs.myscourts.gov.in/hcs/2015 in W.P(MD)No.20494 of 2015 and the same reads as follows:-



"The prayer in the writ petition is for a Writ of Certiorarified Mandamus praying to call for the records relating to the proceedings of the second respondent made unnumbered dated 19.10.2015 and quash the same and consequently direct the respondents to permit the petitioner to conduct the Kabadi Tournament schedule to be held on 21.11.2015 09.00p.m. to 22.11.2015 10.00a.m. under lights at Sports Ground, Chellathayarpuram, Alankulam, Tirunelveli District based on the petitioner's representation to the respondents dated 19.10.2015.

2.Mr.D.Muruganandam, Additional Government Pleader, takes notice for the respondents.

3.This Court is aware that allowing the relief sought for in the miscellaneous petition will amount to give quietus to the main writ petition itself. However considering the good cause exposed by the petitioner, this Court is of the view that an interim direction can be issued for conducting the tournament. Accordingly, the second respondent is directed to permit the petitioner to conduct the Kabadi Tournament schedule to be held on 21.11.2015 09.00p.m. to 22.11.2015 10.00a.m. under lights at Sports Ground, Chellathayarpuram, Alankulam, Tirunelveli District with the following conditions:

"(i)The Kabadi tournament is permitted to be conducted at Sports Ground, Chellathayarpuram, Alankulam, Tirunelveli District, between 09.00 p.m. on 21.11.2015 and 06.00 a.m. on 22.11.2015.

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 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.

(xv) The petitioner shall not use mike sets during the tournament."

Post the matter on 24.11.2015 for reporting as to whether the conditions imposed by this Court as stated above have been duly complied with or not. It is made clear that in the event of non-compliance of the conditions, further orders will be passed in this case."

3. When the matter is taken up for hearing today, it is represented by the Government Advocate appearing for the respondents that the tournament has been conducted in a peaceful atmosphere.

4. The said submission made by the Government Advocate appearing for the respondents is recorded. Accordingly, this Writ Petition is closed. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar

/True Copy/

Sub-Assistant Registrar

To

1. The Superintendent of Police,

O/o. Superintendent of Police, Tirunelveli District.

2. The Inspector of Police, Pavoorchatram Police Station,

Pavoorchatram, Tirunelveli District.

+One cc to The Special Government Pleader, SR.No.67339

ps

RL/4C/SKS/RR/ARI/2/12/2015

W.P. (MD) No.20494 of 2015

24.11.2015