



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.06.2016

CORAM:

THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD) No.10676 of 2016

Gopi

... Petitioner

-vs-

1.The Superintendent of Police,
District Police Office,
Trichy District.

2.The Inspector of Police,
Jeeyapuram Police Station,
Tirchy District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the order of rejection to grant permission passed by the 2nd respondent by his proceedings in memorandum dated 10.06.2016 and to quash the same as illegal and consequentially direct the first respondent to consider the petitioner's representation dated 11.06.2016 and grant permission and Police protection for the 16th year Kabadi Tournament rescheduled to be held on 18.06.2016 (Saturday) and 19.06.2016 (Sunday) in the play ground of Silaiyathi Village, Manachanallur Taluk, Trichy District.

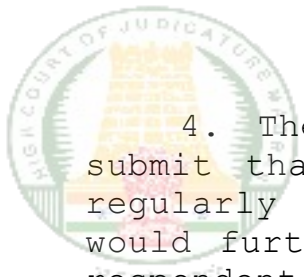
For Petitioner : Mr.S.Balakarthick
For Respondent : Mr.D.Muruganandam,
Addl. Govt. Pleader

O R D E R

The writ petition has been filed to quash the impugned order passed by the respondent dated 10.06.2016 with a consequential direction to the second respondent to grant permission to conduct Kabaddi tournament on 18.06.2016 and 19.06.2016 at day time, at Silaiyathi Village, Manachanallur Taluk, Trichy District.

2. Mr.D.Muruganandam, learned Additional Government Pleader, takes notice for the respondents. By consent, the writ petition is taken up for final disposal at the stage of admission.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.



4. The learned counsel appearing for the petitioner would submit that the programme is being conducted by the petitioner regularly in order to promote harmony among the villagers. He would further submit that the representation given to the second respondent was rejected, vide the impugned order dated 10.06.2016, stating that the law and order problems are prevalent in the area. He would further submit that as the Kabadi tournament has been conducted for the past 15 years in a peaceful manner by the villagers, there will be no untoward incident on account of this celebration. He has also given an undertaking that the petitioner will be responsible for any untoward incident. The said submission is recorded.

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

6. It is seen that in similar circumstances, in W.P.(MD) No.21261 of 2014, this Court, vide order dated 23.12.2014, has granted permission to conduct Kabadi tournament with stringent conditions.

7. In view of the above, the writ petition is allowed and the impugned order dated 10.06.2016 is hereby quashed. The second respondent police is directed to accord permission to the petitioner to conduct the Kabadi tournament at Silaiyathi Village, Manachanallur Taluk, Trichy District, scheduled to be held on 18.06.2016 and 19.06.2016 at day time by duly incorporating the following conditions:

i) The petitioner and other participants shall not shout / raise any slogan implicating / demoralizing any party or party leader, any caste, community or creed;

ii) The Referee must be a professionally competent person to be nominated / appointed from the District Kabadi Association;

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

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

v) The participants of Kabadi tournament shall not wear any form of dress displaying offending slogans or picture of any communal/political leader which may cause disturbance.

<https://hcservices.ecourts.gov.in/HCServices/> The petitioner will ensure that no flex board or hoardings depicting particular community or leader will be displayed.



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

(viii) The participants of the tournament shall not intake any kind of intoxicating substance or liquor during the tournament;

(ix) In the event of any untoward incident, the organizers of the tournament will be made responsible for the same;

(x) 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.

No costs.

Sd/-

Assistant Registrar(CSII)

/True copy/

Sub Assistant Registrar

To:

1.The Superintendent of Police,
District Police Office,
Trichy District.

2.The Inspector of Police,
Jeeyapuram Police Station,
Tirchy District.

+1cc to Mr.S.Balakarthik, Advocate SR.No.31155

+1cc to special Government Pleader sR.no.31179

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