



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.07.2016

CORAM:

THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD) No.12181 of 2016

Gokilan

... Petitioner

-Vs-

The Inspector of Police,
Pavurchathiram Police Station,
Tirunelveli District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to grant permission and police protection to conduct Kabbadi Tournament from 23.07.2016 at night 10.00 p.m. to 24.07.2016 to 10.00 a.m. In connection with Mayandi Kovil festival at Pethanadarpatti, Tirunelveli District.

For Petitioner : Mr.B.Anandan
For Respondent : Mr.D.Muruganandam,
Addl. Govt. Pleader

O R D E R

The writ petition has been filed for issuance of a Writ of Mandamus, directing the respondent to give permission and protection for conducting Kabadi Tournament in connection with Mayandi Kovil festival at Pethanadarpatti, Tirunelveli District, from 23.07.2016 at night 10.00 p.m. to 24.07.2016 to 10.00 a.m., based on the petitioner's representation dated 13.06.2016.

2. Mr.D.Muruganandam, learned Additional Government Pleader, takes notice for the respondent. By consent, the writ petition itself is taken up for final disposal.

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

4. The learned counsel appearing for the petitioner would submit that the Kabadi Tournament is being conducted by the villagers regularly in order to promote harmony among public; that a representation was given to the respondent, but, however, the petitioner is before this Court with this writ petition. The learned counsel appearing for the petitioner would further submit

that as the aforesaid tournament is conducted in a peaceful manner by the villagers, there will be no untoward incident on account of this tournament.

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. Accordingly, in view of the submission made by the learned Additional Government Pleader, the Writ Petition is disposed of with a direction to the respondent police to accord permission to the petitioner to conduct the Kabadi tournament in connection with Mayandi Kovil festival at Pethanadarpatti, Tirunelveli District, scheduled to be held between 10.00 p.m. on 23.07.2016 and 10.00 a.m. on 24.07.2016, 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.

vi) 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

/True Copy/

Sub-Assistant Registrar

To:

The Inspector of Police,
Pavurchathiram Police Station,
Tirunelveli District.

+One cc to The Special Government Pleader, SR.No.35823

+One cc to Mr.B.Anandan, Advocate, SR.No.35851

gcb
RL/4C/3P/SK/SKN/SARII/14/7/2016

W.P (MD) No.12181 of 2016
12/07/2016