



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.07.2016

CORAM:

THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD) No.12749 of 2016

P.Murugan

... Petitioner

-Vs-

1.The Superintendent of Police,
Ramanathapuram District.

2.The Inspector of Police,
R.S.Mangalam Police Station,
R.S.Mangalam,
Ramanathapuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to grant permission and protection for conducting Kabadi tournament in connection with Aadi Pookuli Festival of Sri Thiruoupthiyamman Temple at Pottakottai Village, R.S.Mangalam Via, Thiruvadanai Taluk, Ramanathapuram District in the evening from 7.00 p.m. on 24.07.2016 to 10.00 a.m. on 25.07.2016 or any other subsequent date.

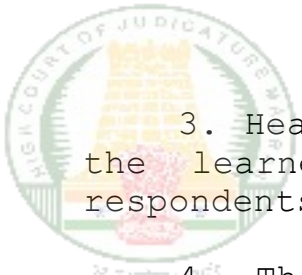
For Petitioner : Mr.V.K.Saravanan

For Respondents : 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 respondents to grant permission and protection for conducting Kabadi Tournament in connection with Aadi Pookuli Festival of Sri Thiruoupthiyamman Temple at Pottakottai Village, R.S.Mangalam Via, Thiruvadanai Taluk, Ramanathapuram District, between 07.00 p.m. on 24.07.2016 and 10.00 a.m. on 25.07.2016, based on the petitioner's representation dated 16.07.2016.

2. Mr.D.Muruganandam, learned Additional Government Pleader, services court in the service for the respondents. 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 respondents.

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 second respondent, but, however, the same was not considered by the second respondent so far and hence, the petitioner is before this Court with this writ petition.

5. The learned Additional Government Pleader appearing for the respondents, on instructions, would submit that if the petitioner is ready to conduct tournament in daytime, 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. At this juncture, the learned counsel for the petitioner would submit that there will be no untoward incident on account of this tournament, if the tournament is permitted to be conducted during night time. He would further submit that if any untoward incident happened, the petitioner and the festival committee will take responsibility.

7. Accordingly, in view of the submission made by the learned learned counsel for the petitioner, the Writ Petition is disposed of with a direction to the second respondent police to accord permission to the petitioner to conduct the Kabadi tournament in connection with Aadi Pookuli Festival of Sri Thiruoupthiyamman Temple at Pottakottai Village, R.S.Mangalam Via, Thiruvadanai Taluk, Ramanathapuram District, between 07.00 p.m. on 24.07.2016 and 10.00 a.m. on 25.07.2016,, 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.

<https://hcservices.ecourts.gov.in/hcservices/>

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 (P&A)

/True Copy/

Sub Assistant Registrar (CS)

To:

1. The Superintendent of Police,
Ramanathapuram District.

2. The Inspector of Police,
R.S.Mangalam Police Station,
R.S.Mangalam,
Ramanathapuram District.

+1cc to the Special Government Pleader, Sr.No.37927

+1cc to M/s.V.K.Saravanan, Advocate, Sr.No.37879

gcg

JM/SK-SKN/SAR-I/21.07.2016/3P-5C

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20.07.2016