



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.07.2016

CORAM:
THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD) No.13524 of 2016

R.Ramar

... Petitioner

-Vs-

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

2. The Sub Inspector of Police,
Irukkankudi Police Station,
Sattur Taluk, Virudhunagar District. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the respondents 1 and 2 to grant permission and protection for the yearly festival of Kabadi competition in the eve of Sri Kaliyamman Temple at Narugapuram Village, Sattur Taluk, Virudhunagar District on 29.07.2016 and 30.07.2016 with an inaugural function at about 10.00 p.m. on 29.07.2016 on the petition of the petitioner dated 22.07.2016.

For Petitioner : Mr.S.Radhakrishnan

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 give permission and protection for conducting Kabadi Tournament in the eve of Sri Kaliyamman Temple at Narugapuram Village, Sattur Taluk, Virudhunagar District on 29.07.2016 and 30.07.2016 with an inaugural function at about 10.00 p.m. on 29.07.2016, based on the petitioner's representation dated 22.07.2016.

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

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

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 respondent opposed the relief sought for by the petitioner on the ground that on 29.07.2016 there are other programme viz., Irukkankudi Mariammal Temple festival, where lakhs people are expected to be assembled and therefore, the respondents are not in a position to give protection to the petitioner's programme.

6. At this juncture, the learned counsel appearing for the petitioner would 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; the petitioner will not insist upon the respondents to give Police protection for the programme; and the permission alone may be granted.

7. Recording the above submission of the 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 the eve of Sri Kalliamman Temple at Narugapuram Village, Sattur Taluk, Virudhunagar District scheduled to be held on 29.07.2016 and 30.07.2016 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.

<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 (CS-I)

/True Copy/

Sub Assistant Registrar (CS)

To:

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

2. The Sub Inspector of Police,
Irukkankudi Police Station,
Sattur Taluk, Virudhunagar District.

+1cc to M/s.S.Radhakrishnan, Advocate, Sr.No.40466

+1cc to the Special Government Pleader, Sr.No.40553

gcg

JM/SK-SKN/SAR-I/29.07.2016/3P-5C

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