



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.08.2016

CORAM:

THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD) No.15730 of 2016

WEB COPY

T.Hariharasudhan

... Petitioner

-vs-

1. The Deputy Superintendent of Police,
Alangulam Sub Division,
Alangulam, Tirunelveli District.

2. The Inspector of Police,
Uthumalai Police Station,
Uthumalai, Tirunelveli 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 relating to the impugned order passed by the 1st respondent in his proceedings in Na.Ka.No. 42/SDOH/Camp/2016 dated 18.08.2016 and quash the same as illegal and consequentially to direct the respondents to grant permission and necessary production to the Minnoli Kapadi Tournament to be held on 27.08.2016 at about 10.00 pm. to 28.08.2016 at about 10.00 am. situated at Victor Thidal Venkateswarapuram Alangulam Taluk Tirunelveli District.

For Petitioner : Mr.P.Subbaraj
For Respondents : 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 1st respondent dated 18.08.2016 with the consequential direction to the respondents to grant permission and necessary production to the Minnoli Kapadi Tournament to be held on 27.08.2016 at about 10.00 pm. to 28.08.2016 at about 10.00 am. situated at Victor Thidal, Venkateswarapuram, Alangulam Taluk, Tirunelveli District.

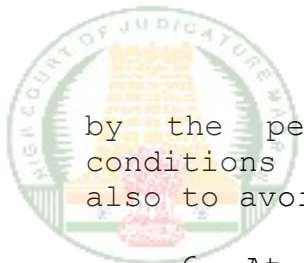
2. Mr.D.Muruganandam, learned Additional Government Pleader, takes notice for the respondents. By consent, the writ petition itself is taken up for final disposal.

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 regularly in order to promote harmony during the above said festival period. He would further submit that the representation given to the respondent was rejected vide the impugned order dated 18.08.2016.

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

5. Today, 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 so as to prevent disturbance to the public tranquility and also to avoid any untoward incident during performance of such programme.

6. At this juncture, the learned counsel for the petitioner would submit that the petitioner will advise the participants not to cause any hindrance to the law and order so as to avoid untoward incident. The said submission is recorded.

7. Accordingly, in view of the submission made by the learned Additional Government Pleader and undertaking given by the learned counsel for the petitioner, the writ petition is allowed and the impugned order is hereby quashed. The respondent police is directed to accord permission to the petitioner to conduct *Kabadi Tournament on 27.08.2016 between 07:00am and 06:00pm* at Victor Thidal, Venkateswarapuram, Alangulam Taluk, Tirunelveli District, 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(AE)

/True Copy/

Sub Assistant Registrar(CS)

To:

1. The Deputy Superintendent of Police, Alangulam Sub Division, Alangulam, Tirunelveli District.
2. The Inspector of Police, Uthumalai Police Station, Uthumalai, Tirunelveli District.

+1cc to M/s.P.Subburaj, Advocate in SR.47198

+1cc to the Special Government Pleader, in SR.47202