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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.09.2016

CORAM:

THE HON'BLE MR.JUSTICE K. KALYANASUNDARAM

W.P(MD) No.17164 of 2016

Makeswaran
King Maker of Kabadi Kuzhu
Pottalaur ...Petitioner

-Vs-

1.The Superintendent of Police,
Tirunelveli, Tirunelveli District.

2.The Deputy Superintendent of Police,
Alangulam Taluk, Alangulam, Tirunelveli District.

3.The Sub Inspector of Police,
Pavoor Chathiram Police Station,
Pavoor Chathiram,
Thirunelveli District. ...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, to direct the third respondent herein to give permission and Police protection to conduct Minnoli Kabadi Tournament at Pottalur village, Alangulam Taluk, Thirunelveli District on 17.09.2016 evening at 6.00 pm to 18.09.2016 morning at 11.00 am.

For Petitioner : Mr.V.Sasikumar
For Respondents : Mr.K.P. Krishnadoss
Government Advocate
*****

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 police protection to conduct Minnoli Kabadi Tournament at Pottalur vilalge, Alangulam Taluk, Thirunelveli District on 17.09.2016 evening at 6.00 pm to 18.09.2016 morning at 11.00 am.

2. Mr.K.P. Krishnadoss, learned Government Advocate, 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 Government Advocate 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 respondents, however, the same was not considered by the respondents so far and hence, 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.

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5. The learned Government Advocate appearing for the respondents, 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 Advocate, the Writ Petition is disposed of with a direction to the third respondent police to accord permission to the petitioner to conduct the Minnoli Kabadi tournament at Pottalur village, Alangulam Taluk, Thirunelveli District, scheduled to be held on 17.09.2016 evening at 6.00 pm to 18.09.2016 morning at 11.00 am. 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(CS)

To:
1.The Superintendent of Police, Tirunelveli, Tirunelveli District.
2.The Deputy Superintendent of Police,
Alangulam Taluk, Alangulam, Tirunelveli District.
3.The Sub Inspector of Police, Pavoor Chathiram Police Station,
Pavoor Chathiram, Thirunelveli District.

+1cc to M/s.V.Sasikumar, Advocate in SR.52106
+1cc to the Special Government Pleader, in SR.51827

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