



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.05.2016

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THE HON'BLE MR.JUSTICE **S.S.SUNDAR**

W.P.(MD) No. 9445 of 2016

E.Kumar

...Petitioner

-vs-

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

2.The Inspector of Police,  
Vasuthevanallur Police Station,  
Vasuthevanallur,  
Tirunelveli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to grant permission and adequate police protection for conducting Kabadi tournament at Aathuvazhi Kaliyamman Kovil Thidal, Sivagiri Taluk, Tirunelveli District, to be held on from 28.05.2016 at 10.00 pm to 29.05.2016 at 06.00 pm on the event of "Arulmigu Sri Kaliyamman Thirukovil temple festival" by considering the petitioner's representation dated 28.04.2016.

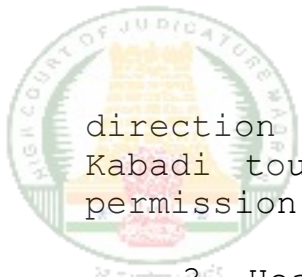
For Petitioner : Mr.J.Senthil Kumaraiah

For Respondents : Mr.D.Muruganandam,  
Additional Government Pleader

### **O R D E R**

The petitioner has come forward with this Writ Petition for issuance of a Mandamus to direct the respondents to grant permission and adequate police protection for conducting Kabadi tournament at "Aathuvazhi Kaliyamman Kovil Thidal", Sivagiri Taluk, Tirunelveli District, to be held on from 28.05.2016 at 10.00 pm to 29.05.2016 at 06.00 pm on the event of "Arulmigu Sri Kaliyamman Thirukovil temple festival" by considering the petitioner's representation dated 28.04.2016.

2.The learned Additional Government Pleader appearing for the respondents, on instructions, would submit that there is likelihood of law and order problem in this area and that



direction to the police authorities to permit and conduct the Kabadi tournament is not appropriate. He further submitted that permission may be granted with stringent conditions.

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

4. Having regard to the objections of the learned Additional Government Pleader appearing for the respondents, this Court feels that a mandamus directing the respondent to grant permission and protection for conducting the Kabadi Tournament at "Aathuvazhi Kaliyamman Kovil Thidal", Sivagiri Taluk, Tirunelveli District, cannot be granted.

5. However, the second respondent is directed to give permission to the petitioner to conduct "Kabadi Tournament" subject to the following conditions;

1) The petitioner should ensure that sufficient medical facilities are available at the venue;

2) There should not be any kind of play of communal songs praising any communal leader;

3) There should not be any flex boards or hoardings depicting any particular community during the said competition and there should not be any speeches in regard to any communal propaganda;

4) It is open to the second respondent to impose other reasonable restrictions for the conduct of Kabadi tournament in public interest and to ensure peace;

5) The said Kabadi tournament should be restricted on 28.05.2016 and 29.05.2016 from 10.00 a.m. to 10.00 p.m.;

6) The organiser of the Kabadi tournament should see that qualified referees are engaged in the tournament.

If any of the above said conditions are violated, it is open to the respondents to take appropriate action, in accordance with law.

6. With the above directions, this writ petition is disposed of. No costs.

Sd/  
Assistant Registrar



To

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

2.The Inspector of Police,  
Vasuthevanallur Police Station,  
Vasuthevanallur, Tirunelveli District.

3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai

+1cc to M/s.J.Senthil Kumaraiah, Advocate in SR.No.26894

+1cc to Special Government Pleader in SR.NO.26975

+1cc to M/s.A.Saravana Kumar, Advocate in SR.No.26872

SDR/NGM-SS/SAR II/27.05.2016/3P/6C

**W.P. (MD) No.9445 of 2016**  
**25.05.2016**