



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.06.2016

CORAM:

THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD) No.9788 of 2016

Keelapavur Sumai Thookum Tholilar Sangam,
rep. By its Secretary,
Mr.Gugan,
Keelapavur Ground,
Keelapavur,
Tirunelveli District.

... Petitioner

-vs-

The Inspector of Police,
Pavurchathram Police Station,
Tirunelveli District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order dated 30.05.2016 and quash the same and consequently, permit the petitioner to conduct the Kabaddi tournament, between 04.06.2016 at about 6 p.m. and 05.06.2016 at about 6 a.m. at Keelapavur Ground, Tenkasi Taluk, Tirunelveli District.

For Petitioner : Mr.RM.Arun Swaminathan

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 respondent dated 30.05.2016 with the consequential direction to the respondent to grant permission to conduct Kabaddi tournament between 04.06.2016 at about 6 p.m. and 05.06.2016 at about 6 a.m. at Keelapavur Ground, Tenkasi 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.

<https://hcservices.courts.gov.in/hcservices> 3. He and 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 programme is being conducted by the sangam 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 30.05.2016.

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 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 the programme may be permitted to be conducted between 04.06.2016 at about 6 p.m. and 05.06.2016 at about 6 a.m. and he has also given an undertaking that the petitioner Sangam will be responsible for any untoward incident. The said submission is recorded.

6a. In W.P.(MD) No.13180 of 2014, permission has been granted to conduct Kabadi on 17.08.2014.

7. Accordingly, in view of the submission made by the learned Additional Government Pleader and 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 the Kabadi tournament at Keelapavur Ground, Tenkasi Taluk, Tirunelveli District scheduled to be held between 04.06.2016 at about 6 p.m. and 05.06.2016 at about 6 a.m. 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 person or political leader which may cause disturbance.

<https://hccases.mca.gov.in/cases/>

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.

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(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.

8. The Writ Petition is allowed on the above terms. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To:

1. The Inspector of Police,
Pavurchathram Police Station,
Tirunelveli District.
2. The Additional Government Pleader,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/s.R.M.Arun Swaminathan, Advocate, Sr.No.27781

gcg/ar

JM/GSV-PM/SAR-III/03.06.2016/3P-4C

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