



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.07.2017

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

W.P. (MD) No.12616 of 2017

S.Muppudathimuthu

... Petitioner

-VS-

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

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the respondent in his proceeding, dated 27.06.2017 and quash the same as illegal and consequently directing the respondent to grant permission and afford protection for conducting the Kabadi Tournament scheduled between 05.08.2017 at about 11.00 p.m to 06.08.2017 at about 12.00 p.m and for usage of mike set during the said tournament scheduled at Muppudathi Amman Kovil Ground, Salaipudur Village, Alangulam Taluk, Tirunelveli District.

For Petitioner : Mr.D.Venkatesh

For Respondent : Mr.T.S.Mohamad Mohideen
Additional Government Pleader

O R D E R

The petitioner has come forward with this Writ Petition for issuance of a Certiorarified Mandamus by calling for the entire records pertaining to the proceedings of the Respondent, dated 27.06.2017 and quash the same and consequently direct the respondent to accord permission and provide adequate police protection for conducting " Kabadi Torunament", which is scheduled to be held on 05.08.2017 at about 11.00 p.m to 06.08.2017 at about 12.00 p.m in connection with the Muppudathi Amman Kovil Ground, Salaipudur Village, Alangulam Taluk, Tirunelveli District.

2. Heard the learned counsel appearing for the petitioner
<https://hcservices.courts.gov.in/hcservices/> Additional Government Pleader appearing for the
respondent.



3. The learned counsel for the petitioner would submit that the villagers jointly decided to conduct the Kabadi tournament from 05.08.2017 at 11.00 p.m., to 06.08.2017 at 12.00 p.m., at Muppudathi Amman Kovil Ground, Salaipudur Village, Alangulam Taluk, Tirunelveli District. In this connection, a representation dated 27.06.2017 was given to the respondent police, with a request to grant permission to conduct the tournament on the above said date, however, the respondent Police has not considered the request of the petitioner and hence, the petitioner is before this Court with this Writ Petition. The learned counsel for the petitioner further submitted that as the Kabadi is conducted in a peaceful manner by the villagers, there will be no untoward incident by the people of the village.

4. The learned Additional Government Pleader appearing for the respondents, on instructions, would submit that since the kabadi tournament scheduled to be conducted by the youngsters of the Salaipudur village in co-ordination with the youngsters of political party, there is likelihood of law and order problem. By the communication of the respondent police, dated 27.06.2017, it was made clear that the respondent police had serious objections to grant permission to conduct the tournament. He further submitted that the permission sought for by the petitioner may be granted with stringent conditions for maintaining law and order and also to avoid any untoward incident during performance of such tournament.

5. This Court is not inclined to accept the reasons stated for refusing to grant permission to the petitioner. Conducting Kabadi tournament is a sports event, which requires to be encouraged irrespective of the political status of organisers. In this case, it is only the youngsters of a particular village, who have identified them as organisers. Merely because they are conducting in association with the political party that does not give a different colour to this tournament. Every sports events should be encouraged so as to promote sports in village level. Since the sports event is at village level, even if there is likelihood of some law and order problem, the same can be managed by the respondent police by getting additional police assistance. Having considered the facts and circumstances of the case, this Court is inclined to allow this writ petition.

6. Accordingly, the Writ Petition is disposed of with the following directions:

(i) The Kabadi tournament at Muppudathi Amman Kovil Ground, Salaipudur Village, Alangulam Taluk, Tirunelveli District scheduled to be held from 05.08.2017 at 11.00 p.m., to 06.08.2017 at 12.00 p.m.,

<https://hcservices.courts.gov.in/hcservices>
 and other participants shall not shout, raise any slogan for or against any party or party leader, any caste, community or creed.

iii) The petitioner shall ensure that no untoward incident is caused disturbing the public peace and tranquillity.

iv) The petitioner shall ensure proper first aid arrangements by keeping one or two doctors in the venue.

v) The participants of Kabadi tournament shall not wear any form of dress showing offending slogans or picture of any communal/political leader which may cause disturbance.

vi) Songs praising communal leader or having communal overtones should not be played.

vii) The petitioner will ensure that no flex board or hoardings depicting particular community or leader will be displayed.

(viii) No flex boards in support of any political party or religious leader be erected.

(ix) 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;

(x) Similarly, the Police is empowered to stop the Kabadi tournament, if it exceeds beyond the permitted time.

(xi) The participants of the tournament shall not intake any kind of toxic substance or liquor during the tournament;

(xii) If there is any untoward incident took place, the village people and the organizers of the tournament be made responsible for the same;

(xiii) The respondent concerned is directed to issue necessary permission, incorporating the above conditions.

(xiv) The Referee must be authorized person from the District Association.

No costs. The respondent police is directed to accord permission and to afford protection for conducting the said Kabadi tournament with above conditions, scheduled on 05.08.2017 at 11.00 p.m., to 06.08.2017 at about 12.00 p.m., subject to any reasonable restriction that will be to protect and preserve the public peace and order.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub-Assistant Registrar

To

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

+One cc to Mr.D.Venkatesh, Advocate, SR.No.64114

+One cc to The Special Government Pleader, SR.No.64238

das/pjl

RL/4C/3P/MR/KKR/SAR1/18/7/2017

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