



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.(MD)No.13364 of 2017

S.Vairamoorthy

... Petitioner

Vs.

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

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

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order in Na.Ka.No.15/PIPS/2017 dated 15.07.2017 of the second respondent and to quash the same, consequently directing the respondents to grant permission and necessary Police protection to perform the Kabadi Tournament from 28.07.2017 at 10.00 p.m. to 29.07.2017 at 10.00 a.m. and from 29.07.2017 at 10.00 p.m. To 30.07.2017 at 10.00 a.m. in the Festival of Arulmighu Sri Kalamman Thirukovil at Puliyangudi, Tirunelveli District.

For Petitioner : Mr.V.Manikandan

For Respondents : Mr.A.K.Baskara Pandian
Special Government Pleader

O R D E R

This Writ Petition has been filed seeking for the issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order dated 15.07.2017 of the second respondent and to quash the same, consequently directing the respondents to grant permission and necessary Police protection to perform the Kabadi Tournament from 28.07.2017 at 10.00 p.m. to 29.07.2017 at 10.00 a.m. and from 29.07.2017 at 10.00 p.m. to 30.07.2017 at 10.00 a.m. in the Festival of Arulmighu Sri Kalamman Thirukovil at Puliyangudi, Tirunelveli District.

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

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.



3.The learned counsel for the petitioner would submit that the villagers jointly decided to conduct the Kabadi tournament at Puliyangudi Village from 28.07.2017 at 10.00 p.m. to 29.07.2017 at 10.00 a.m. and from 29.07.2017 at 10.00 p.m. to 30.07.2017 at 10.00 a.m. in the Festival of Arulmighu Sri Kalamman Thirukovil at Puliyangudi, Tirunelveli District. In this connection, a representation was given to the respondent police on 15.07.2017, 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 Government Advocate appearing for the respondents, on instructions, would submit 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.Having considered the facts and circumstances and the submissions made by the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents, this Court is of the view that necessary permission shall be granted to the petitioner and his Villagers to conduct Kabadi tournament on the above said dates.

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

(i)The Kabadi tournament at Puliyangudi Village in the Festival of Arulmighu Sri Kalamman Thirukovil at Puliyangudi, Tirunelveli District, scheduled to be held from 28.07.2017 at 10.00 p.m. to 29.07.2017 at 10.00 a.m. and from 29.07.2017 at 10.00 p.m. to 30.07.2017 at 10.00 a.m. shall be conducted in a peaceful manner.

ii)The petitioner 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

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.

7. With the above directions, the Writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar.



To

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

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

+1CC to Mr.V.Manikandan, Advocate, SR.No.66523
+1CC to the Special Government Pleader SR.No. 66609

W.P.(MD)No.13364 of 2017
19.07.2017

gsp
AM/SKN RSK/SAR 2/24.07.2017/4P/5C