



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

WEB COPY

W.P.(MD)No.13720 of 2017

S.Paramasivan

... Petitioner

Vs.

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

2.The Inspector of Police,
Murappanadu Police Station,
Thoothukudi District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to grant appropriate prior permission with necessary police protection for conducting Kabadi Match which is scheduled to be held on 28.07.2017, 29.07.2017 and 30.07.2017 in Manakkarai Melur Village within the Murappanadu Police Limit, Thoothukudi District.

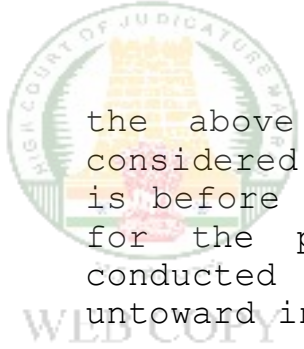
For Petitioner	: Mr.A.Levis Senthilkumar
For Respondents	: Mr.A.K.Baskara Pandian Special Government Pleader.

O R D E R

This Writ Petition has been filed seeking for the issuance of a Writ of Mandamus, directing the respondents to grant appropriate prior permission with necessary police protection for conducting Kabadi Match which is scheduled to be held on 28.07.2017, 29.07.2017 and 30.07.2017 in Manakkarai Melur Village within the Murappanadu Police Limit, Thoothukudi District.

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

3.The learned counsel for the petitioner would submit that the villagers jointly decided to conduct the Kabadi tournament from 28.07.2017 to 30.07.2017, at Manakkarai Melur Village within the Murappanadu Police Limit, Thoothukudi District. In this connection, a representation 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 Special Government Pleader appearing for the respondents, on instructions, would submit that the Kabadi Tournament is likely to attract more crowd from neighboring villages and that therefore, there is likelihood of law and order problem.

5. Kabadi is a sports event, which should be encouraged, when it is conducted in village level. Hence, every attempt should be made to give protection to the event for organizing the "Kabadi Tournament". Taking into account the grievance expressed by the respondent police, the respondents are permitted to impose any reasonable restrictions or conditions, so as to preserve public order and communal harmony, apart from the usual conditions on the basis of which permission is granted.

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

The second respondent/Inspector of Police, Murappanadu Police Station, Thoothukudi District, is directed to consider the representation of the petitioner, dated 17.07.2017 and to give permission and to provide police protection for conducting "Kabbadi Tournament" in Manakkarai Melur Village within the Murappanadu Police Limit, Thoothukudi District, scheduled to be held from 10.00 p.m., on 28.07.2017 to 08.00 p.m., on 30.07.2017 subject to the following conditions:

(i) The Kabadi tournament at Manakkarai Melur Village within the Murappanadu Police Limit, Thoothukudi District, scheduled to be held from 10.00 p.m., on 28.07.2017 to 08.00 p.m., on 30.07.2017.

(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 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.

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

Sd/-

Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar

To

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

2. The Inspector of Police,
Murappanaadu Police Station,
Thoothukudi District.

+1cc to M/S.A. Levis Senthilkumar, Advocate SR.No. 67712

W.P. (MD) No. 13720 of 2017

mm/gk

<https://hccs.judiciary.gov.in/hccs/> 27.07.2017/3P/4C