



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.07.2017

CORAM:

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

W.P. (MD) No.13782 of 2017

WEB COPY

S.Barathi

... Petitioner

Vs.

The Deputy Superintendent of Police,
Srivaigundam Taluk,
Tuticorin District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 20.07.2017 and permit the petitioner to conduct Kabadi Matches on 29.07.2017 and 30.07.2017 at Sivan Temple Backside ground, Vellur, Srivaigundam Taluk, Tuticorin District.

For Petitioner : Mr. V.Maharajan
For Respondent : Mr.A.K.Baskara Pandian,
Special Government Pleader

O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 20.07.2017 and permit the petitioner to conduct Kabadi Matches on 29.07.2017 and 30.07.2017 at Sivan Temple Backside ground, Vellur, Srivaigundam Taluk, Tuticorin District.

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

3.The learned Special Government pleader, on instructions would submit that the place, in which, the Kabadi Tournament proposed to be held may not be conducive to ensure law and order. The respondent has serious objection in permitting the petitioner to conduct Kabadi Tournament at Sivan Temple Backside ground, Vellur, Srivaigundam Taluk, Tuticorin District.

4. However, the learned Special Government Pleader appearing for the respondent himself has come up with the suggestion that permission can be granted to the petitioner to conduct Kabadi Tournament in the College Play Ground of



Kumaragurupara College at Padmanabapuram, which is very close to the said Temple.

5. Taking into account the suggestion given by the learned Special Government Pleader and the consent of the petitioner to change the venue to the place suggested by the respondent, this Court is inclined to direct the respondent to consider the representation of the petitioner and grant permission and police protection to the petitioner to conduct Kabadi Tournament on 29.07.2017 and 30.07.2017 at the College Play Ground of Kumaragurupara College at Padmanabapuram as referred above, after getting due permission from the College authorities. The respondent also shall co-operate for getting permission from the concerned college for conducting the Kabadi Tournament as scheduled.

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

(i) The Kabadi tournament at Kumaragurupara College at Padmanabapuram, Tirunelveli District, scheduled to be held from 29.07.2017 at 12.00 a.m to 30.07.2017 at 12.00 p.m.

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.

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.

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

The Deputy Superintendent of Police,
Srivaigundam Taluk,
Tutuicorin District.

+1cc to Mr.V.Maharajan, Advocate, SR.68775

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MSA/CM

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