



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2017

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.(MD) No. 14425 of 2017

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G.Dennis

... Petitioner

-Vs-

1.The State of Tamil Nadu,
Rep by its Superintendent of Police,
Tirunelveli District,
Tirunelveli.

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

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents consider the petitioner's representation dated 26.07.2017 regarding seeking permission to conduct Kabadi Tournament on 14.08.2017 and 15.08.2017 from 5.30 pm onwards in night at the Patta land in Sy.No.375/15b in Avaraikulam Village, Radhapuram Taluk, Tirunelveli District within the time stipulated by this Court.

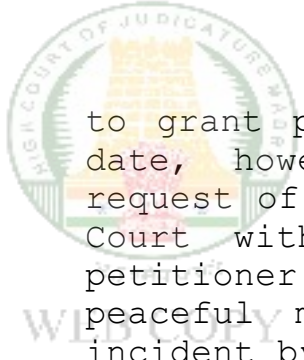
For Petitioner : Mr.P.M.Vishnuvarthanan
For Respondents : Mr.A.K.Baskarapandian
Special Government Pleader.

O R D E R

This Writ Petition has been filed seeking for the issuance of a Writ of Mandamus, directing the respondents consider the petitioner's representation dated 26.07.2017 regarding seeking permission to conduct "Kabadi Tournament" on 14.08.2017 and 15.08.2017 from 5.30 pm onwards in night at the Patta land in Sy.No.375/15b in Avaraikulam Village, Radhapuram Taluk, Tirunelveli District.

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

3.The learned counsel for the petitioner would submit that the villagers jointly decided to conduct "Kabadi Tournament" on 14.08.2017 and 15.08.2017 from 5.30 pm onwards till night at the Patta land in Sy.No.375/15b in Avaraikulam Village, Radhapuram Taluk, Tirunelveli District. In this connection, a representation was given to the respondent police on 26.07.2017, 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 Special Government Pleader appearing for the respondent, on instructions, would submit that he has no serious objection for granting permission sought for by the petitioner, but however, objected to permission beyond 10.00pm and further submitted that permission 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 Special Government Pleader appearing for the respondent, 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:

The respondent/ The Inspector of Police, Panangudi Police Station, Panangudi, Tirunelveli District, is directed to consider the representation of the petitioner, dated 26.07.2017 and to give permission and to provide police protection for conducting "Kabadi tournament" at Patta land in Sy.No.375/15b in Avaraikulam Village, Radhapuram Taluk, Tirunelveli District scheduled to be conducted 14.08.2017 and 15.08.2017 from 5.30 pm onwards till night subject to the following conditions;

(i) The "Kabadi tournament" at Patta land in Sy.No.375/15b in Avaraikulam Village, Radhapuram Taluk, Tirunelveli District to be conducted on 14.08.2017 and 15.08.2017 should be completed before 12.00 O' clock midnight or as extended by the respondent.

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.

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

/True Copy/

Sub Assistant Registrar

To

1.The State of Tamil Nadu,
Rep by its Superintendent of Police,
Tirunelveli District,
Tirunelveli.



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

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+1cc to Special Government Pleader, SR.No. 70929

W.P. (MD) No. 14425 of 2017
03.08.2017

dsk/cp

JM/SV AAM/SAR 4/08.08.2017/4P/4C