

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 09.08.2017****CORAM:****THE HONOURABLE MR.JUSTICE S.S.SUNDAR****W.P. (MD) No.14845 of 2017**

P.Karthick

... Petitioner

Vs.

The Inspector of Police,
Sempatti Police Station,
Sempatti, Dindigul District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, call for the records relating to the Impugned Order dated 05.08.2017 passed by the Respondent and to quash the same as illegal and consequently directing the respondent to grant permission and adequate police protection for conducting Kabadi tournament at Seval Saragu Village, Sempatti Taluk, Dindigul District held on from 12.08.2017 at evening 06.00 p.m to 13.08.2017 at 10.00 p.m on the event of the 71st Independence's Day Celebration.

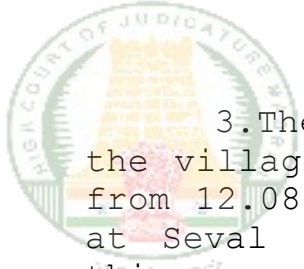
For Petitioner : Mr.J.Senthilkumaraiah

For Respondent : Mr.N.S.Karthikeyan
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking for the issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the proceedings dated 05.08.2017 of the respondent and quash the same and direct the respondent to give adequate police protection and to grant permission for conducting "Kabadi Tournament" program from 12.08.2017 at evening 06.00 p.m to 13.08.2017 at 10.00 p.m on the event of the 71st Independence's Day Celebration.

2. Heard the learned counsel appearing for the petitioner and the learned 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 on from 12.08.2017 at evening 06.00 p.m to 13.08.2017 at 10.00 p.m., at Seval Saragu Village, Sempatti Taluk, Dindigul 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 rejected 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 Tournament 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 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. The only objection raised by the learned Additional Government Pleader is that the time limit should be prescribed and the event should not be permitted beyond 3.00 a.m. on the next day.

5. Having considered the facts and circumstances and the submissions made by the learned counsel for the petitioner and the learned Additional 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. The impugned order does not disclose any valid reason except law and order problem. It is admitted that no untoward incident reported earlier. In the said circumstances, the impugned order is set aside and the respondent is directed to grant permission to conduct Kabadi Tournament subject to the following conditions:

(i) The Kabadi tournament pursuant "Independence day celebration, scheduled to be held from 12.08.2017 at 10.00 p.m., to 13.08.2017 at 3.00 a.m, Seval Saragu Village, Sempatti Taluk, Dindigul District, shall be conducted peacefully without giving room for any communal problems.

ii) The petitioner and the Organisers should see that the sports event viz., Kabadi Tournament shall not exceed beyond 3.00 a.m. on 13.08.2017.

iii) The petitioner and other participants shall not shout, raise any slogan for or against any party or party leader, any caste, community or creed.

<https://hcservices.ecourts.gov.in/hcservices/> *The petitioner shall ensure that no untoward incident is caused disturbing the public peace and tranquillity or communal harmony.*



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

vi) 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.

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

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

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

(x) 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;

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

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

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

(xvi) 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/



To

The Inspector of Police,
Sempatti Police Station,
Sempatti, Dindigul District.

+1cc to Mr.J.Senthilkumaraiah, Advocate Sr.No.71728
+1cc to The Spl.Government Pleader SR.No.72166

DAS/AKV

VB/MR/KKR/SAR1/11/08/2017/4P/4C

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