



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.08.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.(MD) No. 15083 of 2017

P.Sudhakar

... Petitioner

-Vs-

The Inspector of Police,
Uppiliyapuram Police Station,
Thuraiyur Circle,
Trichy, Trichy District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondent to grant permission and to provide adequate police protection for conducting the village level Kabadi Tournament organized by 7 Killadi Kabadi Kuzhu to be held on 25.08.2017 at about 08.00 P.M. to 26.08.2017 at about 10 A.M, in Balakrishnampatti Village, Turaiyur Taluk, Trichy District, based on the Petitioner's representation dated 07.08.2017.

For Petitioner	: Mr.K.Sivabalan
For Respondents	: Mr.A.K.Baskarapandian 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 07.08.2017 seeking permission to conduct "Kabadi Tournament" from 8.00 pm on 25.08.2017 till 10.00 am on 26.08.2017, in Balakrishnampatti Village, Turaiyur Taluk, Trichy District, based on the Petitioner's representation dated 07.08.2017.

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" from 8.00 pm on 25.08.2017 till 10.00am on 26.08.2017 in Balakrishnampatti Village, Turaiyur Taluk, Trichy District. In this connection, a representation was given to the respondent police on 07.08.2017, with a request to grant permission to conduct the tournament on the

above said dates, 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, Thuraiyur Police Station, Trichy District, is directed to consider the representation of the petitioner, dated 07.08.2017 and to give permission and to provide police protection for conducting "Kabadi tournament" in Balakrishnampatti Village, Turaiyoor Taluk, Trichy District. scheduled to be conducted on 25.08.2017 and 26.08.2017, subject to the following conditions;

(i)The "Kabadi tournament" in Balakrishnampatti Village, Turaiyur Taluk, Trichy District should be completed before 10.00am on 26.08.2017.

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

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 (T&P)

/True Copy/

Sub Assistant Registrar

To

The Inspector of Police,
Uppiliyapuram Police Station,
Thuraiyur Circle,
Trichy, Trichy District.

+ 1 CC TO Mr.K.SIVABALAN, ADVOCATE IN SR No. 72480

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 72566

TRP/DSK

TE/SKN/SAR-I : 22/08/2017 : 3P/4C