



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.08.2017

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.(MD) No. 15096 of 2017

Rajaguru

... Petitioner

-Vs-

State represented by
The Inspector of Police,
Pavoorchathiram Police Station,
Tirunelveli 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 police protection to conduct Kabbadi Tournament (Saturday) 26.08.2017 11.00 pm to (Sunday) 27.08.2017 11.00 am at Madakkannuupatti Public Play Ground, Madakkannupatti Village, Tenkasi Taluk, Tirunelveli District, by considering the petitioner's representation dated 26.07.2017.

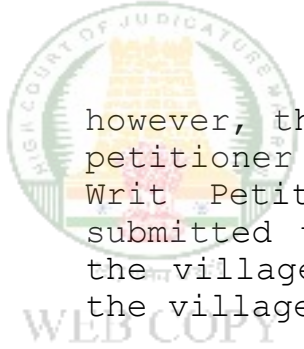
For Petitioner : Mr.S.Selvakumar
For Respondent : Mr.A.K.Baskarapandian
Special Government Pleader.

O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, directing the respondent to grant permission and police protection to conduct "Kabbadi Tournament" (Saturday) 26.08.2017 11.00 pm to (Sunday) 27.08.2017 11.00 am at Madakkannuupatti Public Play Ground, Madakkannupatti Village, Tenkasi Taluk, Tirunelveli District, by considering the petitioner's representation dated 26.07.2017.

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 "Kabbadi Tournament" from 26.08.2017 11.00 pm to 27.08.2017 11.00 am at Madakkannuupatti Public Play Ground, Madakkannupatti Village, Tenkasi 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 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 "Kabbadi Tournament" on the above said dates.

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

The respondent/ The Inspector of Police, Pavoorchathiram Police Station, Tenkasi Taluk, 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 "Kabbadi Tournament" on 26.08.2017 and 27.08.2017 at Madakkannupatti Public Play Ground, Madakkannupatti Village, Tenkasi Taluk, Tirunelveli District, subject to the following conditions;

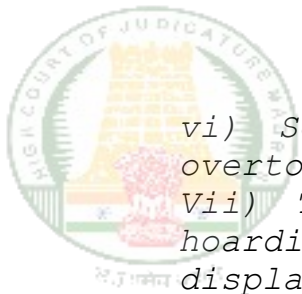
(I) The "Kabbadi Tournament" at Madakkannupatti Public Play Ground, Madakkannupatti Village, Tenkasi Taluk, Tirunelveli District should be completed before 11.00 am on 27.08.2017.

ii) The petitioner and other participants shall not shout or raise any slogan for or against any party, 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 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 (T&P)

/True Copy/

Sub Assistant Registrar

To

The Inspector of Police,
Pavoorchathiram Police Station,
Tirunelveli District.

+ 1 CC TO Mr.S.SELVAKUMAR, ADVOCATE IN SR No. 72160
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 72569

TRP/DSK

TE/SV-MMS/SAR-III : 22/08/2017 : 3P/4C

W.P. (MD) No. 15096 of 2017
11.08.2017