



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.08.2017

CORAM:

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

W.P.(MD) No. 16136 of 2017

K.Ramesh

... Petitioner

-Vs-

1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.The Sub Inspector of Police,
Pavoorchatram Police Station,
Tirunelveli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent herein to grant permission for conducting Kabadi tournament during the event of Arulmigu Ramasamy Temple festival at Chetthiyur Village, Tirunelveli District from 02.09.2017 at 11.00 p.m. to 03.09.2017 at 11.00 a.m based on the petitioner's representation dated 17.08.2017.

For Petitioner : Mr.S.Alagusundar

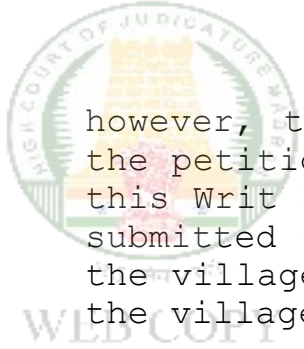
For Respondents : Mr.A.K.Baskara Pandian,
Special Government Pleader.

O R D E R

The petitioner has come forward with this Writ Petition for issuance of a Writ of Mandamus, directing the second respondent herein to grant permission for conducting Kabadi tournament during the event of Arulmigu Ramasamy Temple festival at Chetthiyur Village, Tirunelveli District from 02.09.2017 at 11.00 p.m. to 03.09.2017 at 11.00 a.m based on the petitioner's representation dated 17.08.2017.

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

3.The learned counsel for the petitioner would submit that the villagers jointly decided to conduct the Kabadi tournament during the event of Arulmigu Ramasamy Temple festival at Chetthiyur Village, Tirunelveli District from 02.09.2017 at 11.00 p.m. to 03.09.2017 at 11.00 a.m. In this connection, a representation was given to the respondent police dated 17.08.2017, 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 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.

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 respondents, 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:

(i) The Kabadi tournament at Chettiur Village, Tirunelveli District from 02.09.2017 at 11.00 p.m. to 03.09.2017 at 11.00 a.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;

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(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2. The Sub Inspector of Police,
Pavoorchatram Police Station,
Tirunelveli District.

+1CC TO M/S.S.ALAGUSUNDAR, ADVOCATE, SR NO.75142

+1CC TO SPECIAL GOVERNMENT PLEADER, SR NO.75100

W.P.(MD) No. 16136 of 2017
28.08.2017

mm/msa

MS/SV./SAR.4/31.08.2017/3P.5C