



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.09.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) No.16542 of 2017

S.Balasaravanan

... Petitioner

Vs.

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

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to grant permission and protection to conduct "Kabadi" tournament scheduled to be taken place on 23.09.2017 between 8.00 p.m., to 24.09.2017 at 8.00 a.m in connection with 115th birth anniversary of Mr.K.Kamarajar, at Kamarajar Thidal, Pothaiyadi-Eruvadi, Nanguneri Taluk, Thirunelveli District.

For Petitioner : Mr.P.T.Ramesh Raja

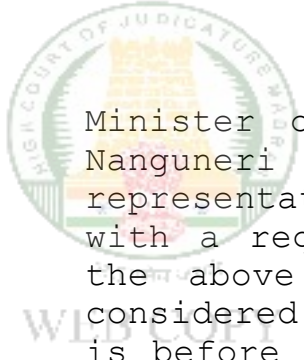
For Respondent : Mr.S.Sadhish Kumar,
Additional Government Pleader.

O R D E R

This Writ Petition is filed for issuing a Writ of Mandamus, directing the respondent to grant permission and protection to conduct "Kabadi" tournament scheduled to be taken place on 23.09.2017 between 8.00 p.m to 24.09.2017 at 8.00 a.m in connection with 115th birth anniversary of Kamarajar, Former Chief Minister of Tamilnadu, at Kamarajar Thidal, Pothaiyadi-Eruvadi, Nanguneri Taluk, Thirunelveli District.

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 submitted that the villagers jointly decided to conduct "Kabadi" tournament on 23.09.2017 between 8.00 p.m., to 8.00 a.m., on 24.09.2017 in connection with 115th birth anniversary of Kamarajar, Former Chief



Minister of Tamilnadu, at Kamarajar Thidal, Pothaiyadi-Eruvadi, Nanguneri Taluk, Thirunelveli District. In this connection, a representation was given to the respondent police on 30.08.2017, 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 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 respondent, on instructions, submitted 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 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.

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

(i) The **"Kabadi"** tournament in connection with 115th birth anniversary of Kamarajar, Former Chief Minister of Tamilnadu, at Kamarajar Thidal, Pothaiyadi-Eruvadi, Nanguneri Taluk, Thirunelveli District scheduled to be held on **23.09.2017 from 8.00 p.m., to 8.00 a.m., on 24.09.2017 shall be conducted peacefully.**

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;

(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.

7. It is open to the respondent police to put any further restrictions or to impose any conditions purely in the interest of preserving public order and tranquillity so as to maintain law and order and communal harmony. There can be a total ban for putting up any Flex Boards representing any community. No costs.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

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

+1cc to Mr. R. T. Ramesh Raja, Advocate in SR.No.75913

+1cc to The Special Government Pleader in SR.No.76630

pmu

AE/MR KKR/SAR3/11.09.2017/3P/4C

W.P. (MD) No.16542 of 2017
01.09.2017