



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.09.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) No.16613 of 2017

S.Xavier

... Petitioner

Vs.

State represented by
The Inspector of Police,
Kallikudi Police Station,
Trichy District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent to permit the petitioner to conduct Kabadi Tournament from 30.09.2017 to 02.10.2017 at about 8.00 A.M. to 12.00 P.M. every day at Theppainthamman Temple Ground, Kovandakurichi Village, Lalgudi Taluk, Trichy District.

For Petitioner : Mr.T.Lenin Kumar

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

O R D E R

This Writ Petition has been filed seeking for the issuance of a Writ of Mandamus, directing the respondent to permit the petitioner to conduct Kabadi Tournament from 30.09.2017 to 02.10.2017 at about 8.00 A.M. to 12.00 P.M. every day at Theppainthamman Temple Ground, Kovandakurichi Village, Lalgudi Taluk, Trichy District.

<https://hcservices.ecourts.gov.in/hcservices/> 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 from 30.09.2017 to 02.10.2017 from 8.00 A.M. to 12.00 P.M. every day at Theeppainthamman Temple Ground, Kovandakurichi Village, Lalgudi Taluk, Trichy 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 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 Additional Government Pleader appearing for the respondent, 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 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 respondent shall grant permission and provide police protection to conduct the Kabadi tournament at Theeppainthamman Temple Ground, Kovandakurichi Village, Lalgudi Taluk, Trichy District, scheduled to be held from 30.09.2017 to 02.10.2017 between 08.00 A.M. and 12.00 P.M. every day.

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.

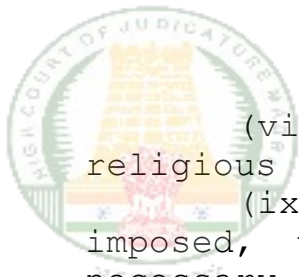
iii) The petitioner shall ensure that no untoward incident is caused disturbing the public peace and tranquillity.

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.

<https://hcservices.ecourts.gov.in/HCServices/> 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,
Kallikudi Police Station,
Trichy District.

+One cc to The Special Government Pleader, SR.No.76879

+One cc to Mr.T.Lenin Kumar, Advocate, SR.No.76437

SRM

RL/4C/3P/SV/MMS/SAR2/11/9/2017

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