



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) No.16615 of 2017

Jayaraj

... Petitioner

Vs.

The Inspector of Police,
Vijayanarayanam Police Station,
Tirunelveli 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 grant permission and to provide police protection to conduct the "Kabadi" competition on 07.09.2017 at about 06.00.p.m to 08.09.2017 at about 06.00.a.m., in pursuant to St.Parparammal Church Festival, situated at Parparammalpuram, Kadankulam Village, Nanguneri Taluk, Tirunelveli District.

For Petitioner : Mr.M.Maharaja

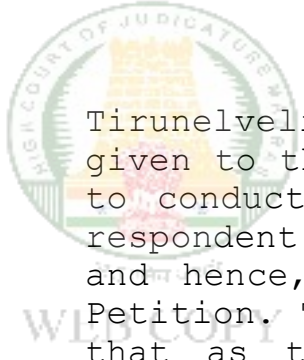
For Respondent : Mr.S.Sadhis Kumar,
Additional Government Pleader.

O R D E R

This Writ Petition has been filed seeking for the issuance of a Writ of Mandamus, directing the respondent to grant permission and to provide police protection to conduct the "Kabadi" competition on 07.09.2017 at about 06.00.p.m to 08.09.2017 at about 06.00.a.m., in pursuant to St.Parparammal Church Festival, situated at Parparammalpuram, Kadankulam Village, Nanguneri Taluk, Tirunelveli 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 would submit that the villagers jointly decided to conduct the Kabadi competition on 07.09.2017 at about 06.00.p.m to 08.09.2017 at about 06.00.a.m., in pursuant to St.Parparammal Church Festival, situated at Parparammalpuram, Kadankulam Village, Nanguneri Taluk,



Tirunelveli District. In this connection, a representation was given to the respondent police, with a request to grant permission to conduct the competition 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 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 competition on the above said dates.

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

The respondent/Inspector of Police, Vijayanarayananam Police Station, Tirunelveli District, is directed to consider the representation of the petitioner, dated 18.08.2017 and to give permission and to provide police protection for conducting "Kabbadi competition" at St.Parparammal Church Festival, situated at Parparammalpuram, Kadankulam Village, Nanguneri Taluk, Tirunelveli District, scheduled to be held from 07.09.2017 at about 06.00.p.m to 08.09.2017 at about 06.00.a.m., subject to the following conditions;

(i)The Kabadi tournament at Parparammalpuram, Kadankulam Village, Nanguneri Taluk, Tirunelveli District, scheduled to be held from 07.09.2017 at about 06.00.p.m to 08.09.2017 at about 06.00.a.m. should 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 competition 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 competition 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,
Vijayanarayanam Police Station,
Tirunelveli District.

+1CC to Mr. M. Maharajaja, Advocate, SR.No. 76381
+1CC to the Special Government Pleader SR.No. 76891

W.P. (MD) No. 16615 of 2017

das/trp
AM/SKN RSK/SAR 2/06.09.2017/3P/4C