

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 12.09.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR**W.P. (MD) No.17136 of 2017**

A.Kannan

... Petitioner

Vs.

1. The Commissioner of Police,
Tirunelveli.2. The Inspector of Police,
Pettai Police Station,
Tirunelveli.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to give permission to conduct Kabadi tournament from 16.09.2017 to 18.09.2017 at the Public ground situated near to our temple Sri Mupidadhiamman Thiru Koil, Malayalamedu, Pettai by considering the petitioner's representation dated 01.09.2017.

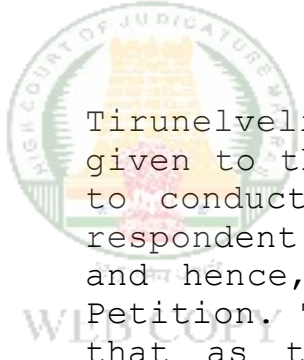
For Petitioner	: M/s.P.Samuel Gunasingh
For Respondents	: Mr.A.K.Baskara Pandian Special Government Pleader

O R D E R

This Writ Petition has been filed seeking for the issuance of a Writ of Mandamus, directing the respondents to give permission to conduct Kabadi tournament from 16.09.2017 to 18.09.2017 at the Public ground situated near to our temple Sri Mupidadhiamman Thiru Koil, Malayalamedu, Pettai by considering the petitioner's representation dated 01.09.2017.

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 from 16.09.2017 to 18.09.2017 at Public ground situated near to our temple Sri Mupidadhiamman Thiru Koil, Malayalamedu, Pettai,



Tirunelveli 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 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 respondent, on instructions, would submit that the respondents have some objections to give permission to conduct Kabadi tournament likelihood to create law and order situation. However, he stated 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 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 Sri Mupidadhiamman Thiru Koil, Malayalamedu, Pettai scheduled to be held on 16.09.2017 to 18.09.2017.

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.

<https://hcservices.ecourts.gov.in/> 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()

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner of Police,
Pettai Police Station,
Tirunelveli.

2. The Inspector of Police,
Pettai Police Station,
Tirunelveli.

+1cc to M/S. P.SAMUAL GUNASINGH, Advocate, SR.No.78194.

+1cc to Special Government Pleader, SR.No.78663.

W.P. (MD) No.17136 of 2017

12.09.2017

sm/sss

SDS/MR:KKR/SAR 1/14.09.2017/3P/5C