



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

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W.P. (MD) No.18174 of 2017

Sudalayandi

... Petitioner

Vs.

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

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, call for the records pertaining to the respondent's impugned order dated 19.09.2017 quash the same and consequently directing the respondent to permit the petitioner to conduct the Kabadi Tournament on 30.09.2017 at about 6 p.m., to 01.10.2017 at about 6 a.m., at Keelapavur Ground, Tenkasi Taluk, Tirunelveli District with adequate Police protection.

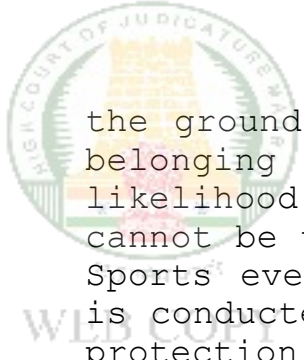
For Petitioner	: Mr.RM.Arun Swaminathan
For Respondent	: Mr.A.K.Baskara Pandian Special Government Pleader.

O R D E R

This Writ Petition has been filed for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the respondent's impugned order dated 19.09.2017 and quash the same and consequently directing the respondent to permit the petitioner to conduct the Kabadi Tournament on 30.09.2017 at about 6 p.m., to 01.10.2017 at about 6 a.m., at Keelapavur Ground, Tenkasi Taluk, Tirunelveli District, with adequate Police protection.

2. Heard the learned counsel appearing for the petitioner and the learned Special 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 at about 6 p.m., to 01.10.2017 at about 6 a.m., at Keelapavur Ground, Tenkasi Taluk, 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 dates. However the permission was rejected only on



the ground that many people will come from neighboring villagers, belonging to the different communities and therefore, there is a likelihood of law and order problem. The reason for rejection cannot be upheld, especially when an event like Kapadi, which is a Sports event, is required to be permitted and encouraged when it is conducted in village level. The respondent is expected to give protection in order to ensure that such events are conducted peacefully and it is not disturbed by any anti social elements, who have vested interest in preventing such events, purely for personal reasons. Hence, the writ petition is allowed and the impugned order dated 19.09.2017, passed by the first respondent is set aside. The respondent is directed to give permission and police protection to conduct the Kabadi Tournament, from 30.09.2017 at about 6 p.m., to 01.10.2017 at about 6 a.m., at Keelapavur Ground, Tenkasi Taluk, Tirunelveli District, subject to the following conditions:

(i) The Kabadi tournament at Keelapavur Ground, in Tenkasi Taluk, Tirunelveli District, scheduled to be held from 30.09.2017 at 06.00 p.m to 01.10.2017 at 06.00 p.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.

<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) the participants of the tournament shall not intake any kind of toxic substance or liquor during the tournament;

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(xi) If there is any untoward incident took place, the village people and the organizers of the tournament be made responsible for the same;

(xii) The respondent concerned is directed to issue necessary permission, incorporating the above conditions.

(xiii) The Referee must be authorized person from the District Association.

No costs.

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

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

+ 1 CC TO MR.RM.Arun Swaminathan, ADVOCATE IN SR No. 80783

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No.81163

mm/cmr

MK/SKN RSK/SAR-2/27.09.2017/3P/4C

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