

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

DATED: 09.10.2017

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR**W.P. (MD) No.18687 of 2017**

S.Sudalaikasi

... Petitioner

-Vs-

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

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to give permission and protection for conducting Minnozhi Kabadi Tournament conducted at K.M.C.Kabady Kulu at K.M.C. Thidal, Solaseri Village, Veerakeralampudur Taluk, Tirunelveli District scheduled to be held on and from 28.10.2017 at 07.00 p.m. To 29.10.2017 at 07.00 p.m. by considering the petitioner's representation dated 29.09.2017.

For Petitioner : Mr.S.Sathya Chidhambaram

For Respondent : Mr.D.Muruganantham
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 give permission and protection for conducting Minnozhi Kabadi Tournament conducted at K.M.C.Kabady Kulu at K.M.C. Thidal, Solaseri Village, Veerakeralampudur Taluk, Tirunelveli District scheduled to be held on and from 28.10.2017 at 07.00 p.m. to 29.10.2017 at 07.00 p.m. by considering the petitioner's representation dated 29.09.2017.

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" Tournament



from 28.10.2017 at 07.00 p.m. to 29.10.2017 at 07.00 p.m. K.M.C.Kabady Kulu at K.M.C. Thidal, Solaseri Village, Veerakeralampudur Taluk, Tirunelveli District. In this connection, a representation was given to the respondent police on 29.09.2017, 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, would submit that the respondents have serious objection for permitting the petitioner to conduct "Kabadi" Tournament.

5.However, taking into account the serious objections of the respondent police, this Court is inclined to pass the following direction;-

(i)The respondent/Inspector of Police, Uthumalai Police Station, Tirunelveli District, is directed to consider the representation of the petitioner, dated 29.09.2017 and to give permission and to provide police protection for conducting "Kabadi" Tournament, scheduled to be held from 28.10.2017 at 07.00 p.m. to 29.10.2017 at 07.00 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)There should not be any flex boards representing any community or political leaders;

(ix)If there is any violation of any one of the conditions imposed, the concerned Police Officer is at 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.

6. The respondent is at liberty 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 (RTI)

/True Copy/

Sub Assistant Registrar

To

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

+1cc to M/S. S.SATHYA CHIDHAMBARAM, Advocate, SR.No.82192.

+1cc to Special Government Pleader, SR.No.82347.

W.P. (MD) No. 18687 of 2017
09.10.2017

gsp/cmr

SDS/SV:MMS/SAR 1/13.10.2017/3P/4C