



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.10.2017

CORAM

THE HON'BLE MR.JUSTICE S.S.SUNDAR

W.P.(MD) No.18819 of 2017

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... Petitioner

-Vs-

The Inspector of Police,
Nagamalai Pudhukottai Police Station,
Nagamalai Pudhukottai,
Madurai, Madurai District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent herein to grant permission and police protection for conducting Kabadi tournament from 14.10.2017 at about 8 pm to 15.10.2017 at about 8 pm day and night matches to be held at Nadu Otha Veedu, Keela Kuyilkudi village, Nagamalai, Pudhukottai, Madurai, based upon the petitioner's representation dated 05.10.2017.

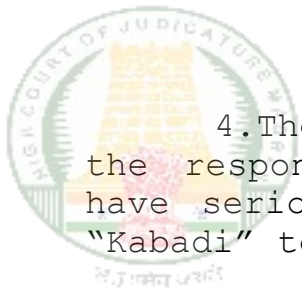
For Petitioner : Mr.N.Mariappan
For Respondent : Mr.D.Muruganantham,
Additional Government Pleader.

O R D E R

This Writ petition is filed for issuing a Writ of Mandamus, directing the respondent herein to grant permission and police protection for conducting Kabadi tournament from 14.10.2017 at about 8 pm to 15.10.2017 at about 8 pm day and night matches to be held at Nadu Otha Veedu, Keela Kuyilkudi village, Nagamalai, Pudhukottai, Madurai, based upon the petitioner's representation dated 05.10.2017.

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 submitted that the villagers jointly decided to conduct "Kabadi" tournament on 14.10.2017 and 15.10.2017 at Nadu Otha Veedu, Keela Kuyilkudi village, Nagamalai, Pudhukottai, Madurai. In this connection, a representation was given to the respondent police on 05.10.2017, 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 respondent 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, submitted that the respondent has 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 second respondent/ Inspector of Police, Nagamalai Pudhukottai Police Station, Nagamalai Pudhukottai, Madurai, Madurai District, is directed to consider the representation of the petitioner, dated 05.10.2017 and to give permission and to provide police protection for conducting "Kabadi" tournament scheduled to be held on 14.10.2017 and 15.10.2017 at Nadu Otha Veedu, Keela Kuyilkudi village, Nagamalai, Pudhukottai, Madurai.

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 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 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.

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Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

The Inspector of Police,
Nagamalai Pudhukottai Police Station,
Nagamalai Pudhukottai,
Madurai, Madurai District.

+1cc to Special Government Pleader, SR.No. 82642
+1cc to M/S.N.Mariappan, Advocate SR.No. 82191

W.P.(MD) No. 18819 of 2017
10.10.2017

KM/PMU
JM/SV MMS/SAR 3/12.10.2017/3P/4C