

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 11.10.2017****CORAM:****THE HONOURABLE MR. JUSTICE S.S.SUNDAR****W.P. (MD) No.18821 of 2017**

Rajaganapathy

... Petitioner

Vs.

The Inspector of Police,
Jeeyapuram Police Station,
Trichy District.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondent to give permission and protection for conducting Kabadi Tournament conducted performed by Periyar Thambikal Periyakaruppur Kabadi Gulu at Mariamman Kovil Thidal, Periyakaruppur, Trichy District Scheduled to be held on from 14.10.2017 at 07.00 p.m. to 15.10.2017 at 10.00 p.m., by considering the petitioner's representation dated 22.09.2017.

For Petitioner : Mr.S.Sathya Chidambaram

For Respondents : Mr.D.Muruganantham
Additional Government Pleader.

ORDER

This Writ Petition is filed for issuing a Writ of Mandamus, to direct the respondent to give permission and protection for conducting Kabadi Tournament conducted performed by Periyar Thambikal Periyakaruppur Kabadi Gulu at Mariamman Kovil Thidal, Periyakaruppur, Trichy District Scheduled to be held on 14.10.2017 at 07.00 p.m. and 15.10.2017 at 10.00 p.m., by considering the petitioner's representation dated 22.09.2017.

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 submitted that the villagers jointly decided to conduct "Kabadi" tournament on 14.10.2017 at 07.00 p.m. and 15.10.2017 at 10.00 p.m. at Mariamman



Kovil Thidal, Periyakaruppur, Trichy District. In this connection, a representation was given to the second respondent police on 22.09.2017, 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, 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 respondent/Inspector of Police, Jeeyapuram Police Station, Trichy District, is directed to consider the representation of the petitioner, dated 22.09.2017 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 Mariamman Kovil Thidal, Periyakaruppur, Trichy District.*

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 boardings 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 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,
Jeeyapuyram Police Station,
Trichy District.

+1cc to Mr.S.Sathya Chidambaram, Advocate Sr.No.82402
+1cc to The Spl.Government Pleader Sr.No.82551

KM/PMU

VB/SV/MMS/SAR1/13/10/2017/3P/4C