



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.11.2017

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

W.P. (MD) No.20000 of 2017

Devaraj

... Petitioner

-Vs-

The State represented by
The Inspector of Police,
Kallikudi Police Station,
Trichy District.

... Respondent

Prayer:Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondent to permit the petitioner to conduct Kabadi Tournament on 11.11.2017 and 12.11.2017 at about 08.00 am onwards (both days) at Primary School Ground, Palinganatham Village, Ariyalur Taluk and District.

For Petitioner : Mr.T.Lenin Kumar

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

O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, to direct the respondent to permit the petitioner to conduct Kabadi Tournament on 11.11.2017 and 12.11.2017 at about 08.00 am onwards (both days) at Primary School Ground, Palinganatham Village, Ariyalur Taluk and District.

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 on 11.11.2017 and 12.11.2017 at Primary School Ground, Palinganatham Village, Ariyalur Taluk and District. In this connection, a representation was given to the respondent police on 22.10.2017, with a request to grant permission to conduct the tournament on the above said dates. 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 Public Prosecutor appearing for the respondents submitted that this Court may grant permission for "Kabadi Tournament" subject to stringent conditions.

5. Considering the facts and circumstances of the case, the Writ Petition is disposed of with the following directions:

(i) The respondent/Inspector of Police, Kallakudi Police Station, Trichy District, is directed to consider the representation of the petitioner, dated 22.10.2017 and to give permission and to provide police protection for conducting "Kabadi" Tournament, scheduled to be held on 11.11.2017 and 12.11.2017 at Primary School Ground, Palinganatham Village, Ariyalur Taluk and 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 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 necessary permission, incorporating the above conditions.

(xiv) The Referee for the tournament must be authorized person from the District Kabadi Association or a person qualified to be a Referee at State level.



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 (T&P)

/True Copy/

Sub-Assistant Registrar

To

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

+One cc to The Special Government Pleader, SR.No.84822

+One cc to Mr.T.Leninkumar, Advocate, SR.No.84762

cmr
RL/4C/3P/KP/SAR1/6/11/2017

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