



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.11.2017

CORAM

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

W.P.(MD) No.20574 of 2017

Rajarajan

...Petitioner

-Vs-

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

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records in pertaining to the impugned order of the respondent vide his proceedings in Na.Ka.No. /B1PS/2017 dated nil, quash the same as illegal, consequently to direct the respondent to grant permission to conduct Kabadi Tournament scheduled to be held on 18.11.2017 from 08.00 pm to 19.11.2017 10.00 am in the name of the "Manokaran Kabadi Kulu" at Malaikovil, Thiruverumpur, Trichy District.

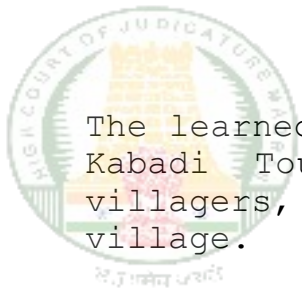
For Petitioner : Mr.T.Vadivelan
For Respondent : Mr.D.Muruganandam,
Additional Government Pleader.

O R D E R

This Writ petition is filed for issuing a Writ of Certiorarified Mandamus, to call for the records in pertaining to the impugned order of the respondent dated Nil, quash the same as illegal, consequently to direct the respondent to grant permission to conduct Kabadi Tournament scheduled to be held on 18.11.2017 from 08.00 pm to 19.11.2017 10.00 am in the name of the "Manokaran Kabadi Kulu" at Malaikovil, Thiruverumpur, Trichy 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 18.11.2017 from 08.00 pm to 19.11.2017 10.00 am in the name of the "Manokaran Kabadi Kulu" at Malaikovil, Thiruverumpur, Trichy District. In this connection, a representation was given to the respondent police on 02.11.2017 with a request to grant permission to conduct the tournament on the above said dates. however, the respondent Police has rejected 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 Special Government Pleader appearing for the respondent, on instructions, would submit that the permission sought for by the petitioner may be granted with stringent conditions for maintaining law and order and also to avoid any untoward incident during performance of such tournament.

5. The permission was rejected by the respondent on the ground that there is a law and order problem in the area and that Section 32 of Police Act is in force with effect from 16.10.2017. Kabadi tournament is a sports event, conducted at village level and it should be encouraged. When the organizer of the tournament conducts a sport event, the respondent cannot deny the permission on apprehension, which is antithesis of law and order problem. In the said circumstances, the impugned order passed by the respondent dated Nil is set aside and the respondent is directed to grant permission to conduct Kabadi Tournament, scheduled to be held on 18.11.2017 from 08.00 pm to 19.11.2017 10.00 am in the name of the "Manokaran Kabadi Kulu" at Malaikovil, Thiruverumpur, Trichy District, subject to the following conditions:

i) The petitioner and other participants shall not shout, raise any slogan for or against any party or party leader, any caste, community or creed.

ii) The petitioner shall ensure that no untoward incident is caused disturbing the public peace and tranquillity.

iii) The petitioner shall ensure proper first aid arrangements by keeping one or two doctors in the venue.

iv) 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.

v) Songs praising communal leader or having communal overtones should not be played.

vi) The petitioner will ensure that no flex board or hoardings depicting particular community or leader will be displayed.

(vii) There should not be any flex boards representing any community or political leaders;

(viii) 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;

(ix) Similarly, the Police is empowered to stop the Kabadi tournament, if it exceeds beyond the permitted time.

(x) the participants of the tournament shall not intake



any kind of toxic substance or liquor during the tournament;

(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 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 (RTI)

/True Copy/

Sub Assistant Registrar

To

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

+1cc to Mr. T. VADIVELAN Advocate in SR. No. 85939

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 86232

CMR

JS/SKN.RSK/SAR.4/14.11.2017/3P-4C

W.P. (MD) No. 20574 of 2017
08.11.2017