



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.11.2017

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.(MD) No.20608 of 2017

U.Krishnamoorthy

.. Petitioner

-Vs-

1. The Superintendent of Police,
Tuticorin District,
Tuticorin.

2. The Inspector of Police,
Soorankudi Police Station,
Vilathikulam Taluk,
Tuticorin District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to grant permission and protection for Kabadi Tournament scheduled to be held on 11.11.2017 morning at 9.00 a.m. to 11.00 p.m. in connection with "Suriya Oli Kabadi Competition" at Government High School Ground at Melmandai Village, Tuticorin District.

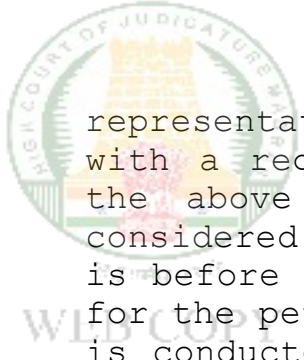
For Petitioner : Mr.M.M.Manivelpandian
For Respondent : Mr.D.Muruganadam
Additional Government Pleader.

O R D E R

This Writ petition is filed for issuing a Writ of Mandamus, to direct the respondents to permit the petitioner to conduct Kabadi Tournament scheduled to be held on 11.11.2017 morning at 9.00 a.m. to 11.00 p.m. in connection with "Suriya Oli Kabadi Competition" at Government High School Ground at Melmandai Village, Tuticorin District.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3.The learned counsel for the petitioner would submit that the villagers jointly decided to conduct the "Kabadi" Tournament from about 9.00 a.m. to 11.00 p.m. in connection with "Suriya Oli Kabadi Competition" at Government High School Ground at Melmandai Village, Tuticorin District. In this connection, a



representation was given to the respondent police on 05.11.2017, 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 Government Pleader appearing for the respondents on instructions would submit that on the basis of the complaint given by one of the person residing in the said village an FIR was registered on 06.03.2017 for the offence under Section 294(b), 506(ii) and 302 of IPC. Hence, he prayed that this Court may grant permission for "Kabadi Tournament" subject to stringent conditions.

5. Reading of the FIR clearly indicates that the incident occurred was in relation to the dispute between two individuals of the said village and not in relation to the Kabadi Tournament.

6. The learned counsel for the petitioner submitted that subsequently, similar Kabadi Tournaments were conducted in the village in the month of July and August, 2017 and the same was not disputed.

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

(i) The second respondent/ the Inspector of Police, Soorankudi Police Station, Vilathikulam Taluk, Tuticorin District is directed to consider the representation of the petitioner, dated 05.11.2017 and to give permission and to provide police protection for conducting "Kabadi" Tournament, scheduled to be held from 11.11.2017 at about 9.00 a.m. to 11.00 p.m. in connection with "Suriya Oli Kabadi Competition" at Government High School Ground at Melmandai Village, Tuticorin 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.

8.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(AD-II)

/True Copy/

Sub Assistant Registrar.

To

1. The Superintendent of Police, Tuticorin District, Tuticorin.
2. The Inspector of Police, Soorankudi Police Station, Vilathikulam Taluk, Tuticorin District.

+1CC to Mr.M.Manivel Pandian, Advocate, SR.No. 86453

W.P.(MD) No.20608 of 2017

PJL

AM/SKN RSK/SAR 1/10.11.2017/3P/4C